
Appeal Decision

Site visit made on 2 January 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2020

Appeal Ref: APP/J0350/W/19/3238233
Land at 80 Faraday Road, Slough SL2 1RS

- 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 N Khan against the decision of Slough Borough Council.
 - The application Ref P/12654/008, dated 9 October 2018, was refused by notice dated 9 April 2019.
 - The development proposed is construction of a 2 bedroom dwelling-house on land to the rear of 80 Faraday Road Slough (revision to application ref. P/12654/007).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted alternative options (Option B and Option C) for the proposed dwelling as part of the appeal. These alter the height and appearance of the proposed dwelling from that which was considered and consulted upon as part of the application. I cannot be satisfied that interested parties have had sufficient and fair opportunity to comment on the additional details. I have therefore considered the appeal on the basis of those details on which the Council based its decision, in order to avoid prejudice to interested parties.

Main Issue

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

Reasons

4. There are some buildings to the rear of the row of dwellings along Faraday Road where the appeal site is located. The position, size and appearance of these buildings varies. However, there is a consistency to the building line and layout of the dwellings with properties addressing the road, near the front of their plots and with generous rear gardens. I did not see any residential properties to the rear of existing ones in the same row of as the appeal site.
5. There is some variation in terms of plot and garden sizes in the area including at the bungalows near the site. Nevertheless, the proposed garden and plot would be considerably smaller in comparison to existing ones in this row. As a result, the scheme would be incongruous with the overall open and spacious

character of the properties in this part of Faraday Road and at the adjacent land.

6. While the larger area of outdoor space would be off the main living accommodation, the dwelling would be close to the rear and other side boundary of the plot. Furthermore, a large proportion of the frontage of the proposed property would be occupied by tightly packed parking spaces for the dwelling itself and the flats already granted planning permission¹. This would limit the landscaping that could take place and accentuate the cramped appearance of the site.
7. The plot would be wider than the adjacent ones. Nonetheless, the position of the dwelling and the main outdoor space would be discordant with the established grain of linear plots with generous rear gardens along Faraday Road.
8. Boundary treatments, landscape features and existing properties would largely screen the dwelling from Faraday Road itself. Nevertheless, while I acknowledge conditions can be appropriate in some circumstances to secure details of landscaping and boundary treatments, they should not be used to try to hide development which is inherently unacceptable. In any event, from the details before me, there is no convincing evidence such measures would prevent the site being prominent in views from the adjacent public open space and open grassed area. These afford views into and over the rear gardens of properties in the same row. The site would appear cramped and this would erode the spacious feel to the rear gardens and adjacent open land. It would also be obvious from nearby properties.
9. My attention has been drawn to a fallback position involving the construction of a garage at the appeal site². This would be located in a similar position to the proposed dwelling. Nevertheless, the dwelling would be of a greater height and footprint than the garage. Moreover, as with the existing outbuildings in the rear gardens of the properties along Faraday Road, it would have an ancillary appearance and would not be set in its own separate plot. Therefore, even if the garage were built in the event of the appeal being dismissed, it would not give rise to the same harm as the appeal scheme.
10. The proposed dwelling would have a similar ridge height to the terraced bungalows at Thorndike Road and bungalows are not uncommon in the area. Nonetheless, these are a distinct group of properties separate from the appeal site. The position of the dwelling means that even with locally appropriate materials it would fail to relate to the bungalow properties or those along Faraday Road. In addition, the single storey dwelling proposed would be at odds with Faraday Road which is characterised by 2 storey properties.
11. While relatively near the site, the flats at Furnival Avenue do not have the same open areas adjacent to them. They are seen in a different context to the appeal site where development is more compact. I do not have full details of the development at Wexham Road and therefore cannot be sure it represents a direct comparison to the scheme before me. In any event, it is some distance from, and would not be seen with, the appeal site. These are therefore materially different to the scheme before me.

¹ P/12654/004

² P/12654/005

12. Consequently, the proposal would unacceptably harm the character and appearance of the area. It would be contrary to Policies 1, 4 and 8 of the Slough Local Development Framework Core Strategy and Policies H13 and EN1 of the Local Plan for Slough. These, amongst other things, require development to be compatible with the character and identity of a site and its surroundings as well as reflecting local distinctiveness.
13. Moreover, the scheme would be contrary to the National Planning Policy Framework (Framework) where it states developments should be sympathetic to local character and the built environment.

Other Matters

14. The Framework seeks to significantly boost the supply of housing and acknowledges that small-scale developments can make an important contribution to meeting the housing requirement and be built out quickly. The scheme would contribute to the mix and supply of local housing in the area. There would also be benefits associated with energy efficiency, sustainable construction and biodiversity. However, even if I were to consider the site was previously developed land and a more efficient use of land, given the scale of the proposal these benefits would be small. Even when taken cumulatively these benefits would not outweigh the harm I have identified to the character and appearance of the area.
15. The Council have not included refusal reasons relating to the living conditions of nearby or future occupiers, flooding, highway safety, parking provision, waste and cycle storage or the accessibility of the site to services and transport links. However, a lack of harm is a neutral factor and does not weigh in favour of the scheme.
16. I acknowledged that the appellant has sought to modify the scheme to overcome the concerns raised from a previous application and dismissed appeal³. This includes changes to the number of dwellings as well as to the size of the proposed built form, parking layout and outdoor space. However, I have found that harm would arise from the scheme before me and that this harm would not be addressed by the imposition of conditions.

Conclusion

17. For the reason given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR

³ APP/J0350/W/17/3187858