
Appeal Decision

Site visit made on 17 March 2020

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2020

Appeal Ref: APP/J0350/W/19/3242013

24 Bell Close, Slough SL2 5UQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Amrik Singh against the decision of Slough Borough Council.
 - The application Ref P/10726/013, dated 21 June 2019, was refused by notice dated 11 September 2019.
 - The development proposed is the demolition of the existing dwelling and the erection of three terraced houses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application, which accurately describes the proposal.
3. The planning application was made in outline with all matters reserved. As such, I have regarded all elements of the drawings submitted as indicative.
4. Since the appeal was lodged, the Government has published its 2019 Housing Delivery Test (HDT) results. In the interests of fairness, the main parties were given the opportunity to comment on these results.

Main Issues

5. The main issues are:
 - The effect of the proposal on the character and appearance of the surrounding area;
 - The effect of the proposal on the living conditions of the occupiers of neighbouring properties with particular reference to noise, disturbance and odour; and
 - The effect of the proposed parking arrangements on highway safety in Bell Close.

Reasons

Character and appearance

6. The appeal site comprises of an end terrace property within a block of 4 houses. No 24 Bell Close (No 24) occupies a large corner site at the north eastern end of Bell Close. Although there is a front extension to one of the middle properties, there is symmetry in the design of the block. The 2 end terrace properties have a 2-storey element with a hipped roof which projects forward of the building line of the middle properties. This design feature is repeated in several other terrace blocks in the street and contributes to its character.
7. At the end of the street on either corner are large gaps. The gap between No 24 and No 26 Bell Close (No 26) is fenced off and forms part of the grounds of No 24. Despite this, views can still be achieved to the buildings and trees to the rear of the site. These gaps are important features within the street scene and help break up the terrace blocks.
8. The proposal would result in the demolition of No 24. Although individually the property is of no particular architectural merit, its loss would disrupt the balance within the terrace block. The appearance of the remaining terrace block would, in my view, be harmed as a result.
9. Although submitted for indicative purposes, the proposed plans show how a scheme for 3 houses could be developed on the site. I recognise that the design of the indicative houses would appear in keeping with the surrounding area. Moreover, due to their position angled in the corner, the houses would not be prominent in the wider area. However, they would still be visible toward the end of the street and from nearby properties.
10. Each of the proposed dwellings would have reasonable sized rear gardens and a sense of space to the rear. To this end the buildings would not appear cramped. However, the angle and orientation of the proposed housing within the original corner gap would be at odds with the prevailing pattern of housing.
11. I recognise that the indicative layout seeks to maintain a gap between the remaining terrace block and the proposed houses. This would allow some views through to the rear of the site. However, the gap would be reduced and its contribution to break up the neighbouring terrace blocks would be significantly eroded. Moreover, the frontage area would be dominated by parking and the access drive. Given the amount of hardstanding and the layout of the vehicle parking as it narrows adjacent to the rear garden of No 22 Bell Close (No 22), in my view, the frontage area would appear somewhat cluttered and cramped.
12. Overall, the combination of these factors leads me to conclude on the first main issue that the proposal would harm the character and appearance of the surrounding area. As such, the proposal would conflict with the requirements of Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document (CS) (2008) and Policy H13 and EN1 of the Local Plan for Slough (LP) (2004). These policies require, amongst other things, that development respects its location and surroundings.
13. These policies are broadly consistent with paragraph 127 of the Framework, which broadly seeks to secure high quality design and therefore any conflict with them are a matter of significant weight.

Living conditions

14. The proposal incorporates parking to the front of each of the houses which would be accessed from a shared driveway positioned between No 26 and No 22. Both properties would be aware of the vehicular movements even if there are no windows on the end wall of No 22. Vehicles would pass near the front garden and front windows of No 26 and near the rear and front garden of No 22 and its front windows.
15. I recognise that the appellant has sought to position the driveway to minimise the effects on the occupiers of No 26 and frontage parking is a common characteristic within the street. However, such parking serves single properties rather than a group of 3. To this end, my concerns relate to the level of vehicular activity and movements near the 2 neighbouring properties. These movements would give rise to noise, disturbance and exhaust fumes. The combination of which would be to the detriment of the living conditions of the occupiers of the immediate neighbouring properties.
16. I therefore find that the proposal would harm the living conditions of the occupiers of neighbouring properties with particular reference to noise, disturbance and odour. The proposal would therefore conflict with the requirements of Core Policy 8 of the CS and Policy H13 and EN1 of the LP. These policies require, amongst other things that the design of all development within the existing residential areas should respect the amenities of adjoining occupiers.
17. These policies are broadly consistent with paragraph 127 of the Framework, which seeks, amongst other things, to ensure good standards of living conditions for existing occupants. As such, any conflict with these policies is a matter of significant weight.

Parking arrangements

18. The indicative plans show parking to the front of each of the properties with vehicles needing to reverse out. The Council's highway officer objects to any layout that results in reversing onto the highway.
19. Bell Close appeared to be a reasonably quiet road with vehicles not travelling at a high speed. This is particularly the case around the appeal site which is positioned at the end of the street. Other properties along the street have parking with vehicles reversing onto the highway, there is also some on street parking available and space at the end of the street to turn. I have no substantive evidence before me that the existing arrangements within the street have resulted in any highway safety issues.
20. I recognise that each of the units would be provided with sufficient vehicle parking spaces. Although it has not been demonstrated that vehicles would be able to enter and exit in a forward gear, given the existing parking situation and the nature of Bell Close, I am satisfied that the proposed parking arrangements would not have an adverse effect on highway safety.
21. The proposal would therefore comply with the requirements of Policy T2 of the LP and Core Policy 7 and 8 of the CS. These policies require, amongst other things, residential development to provide a level of parking appropriate to its location. The proposal would also comply with paragraph 109 of the Framework

which seeks to ensure that development does not have an unacceptable impact on road safety.

Other Matters

22. My attention has been drawn to a previous planning permission for a single dwelling which was approved (Ref: P/10726/006) by the Council for a 2-storey 3-bedroom house. This did not involve the demolition of No 24 and I'm told has been implemented. As such, I am satisfied that if the appeal proposal were not erected, there is every likelihood that this fallback position would be built.
23. However, it is common ground that the size of the built form and number of units are greater than the proposal before me. Moreover, I have no substantive evidence that the fallback position, even considering any potential permitted development rights, would result in similar or greater effects to those identified.
24. In my view, the effects of the proposal on the character and appearance of the surrounding area and on the living conditions of occupiers of neighbouring properties from this fallback position would not be as substantial as the proposal before me.
25. The Council raised no concerns in relation to the principle of development, the impact of the dwellings themselves on the occupiers of neighbouring properties or to the standard of accommodation proposed. I have no reason to disagree with these findings. However, the absence of harm in these respects is a neutral matter weighing neither for nor against the proposal.
26. Concerns regarding the processing of the application, including errors made by the Council, are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposal before me.
27. I have also had regard to third party representations made raising a series of other concerns about the proposal. However, as I am dismissing the appeal on other grounds, I have not pursued these matters further.
28. None of the other matters raised alter or outweigh my conclusions on the main issues.

Planning Balance

29. I am satisfied that the policies on which the Council relied upon in this case are consistent with the aims of the Framework. Moreover, I find that the proposal would conflict with the requirements of the policies of the development plan when read as a whole.
30. The Council has confirmed that it cannot currently demonstrate a 5-year housing land supply. The presumption in favour of sustainable development as set out in paragraph 11 of the Framework is therefore engaged. This indicates that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
31. The proposal would accord with the Government's objective of significantly boosting the supply of housing. I attach significant weight to the shortfall of housing and under delivery over several years, as evidenced by the Council and

the HDT results. However, due to the number of dwellings sought the proposal would only have a limited impact in the context of the overall housing supply, and I attach limited weight to the benefit in that regard.

32. Against these limited benefits, the proposal would result in significant harm to the character and appearance of the surrounding area and harm to the living conditions of the occupiers of the neighbouring properties. I find these harmful effects weigh significantly given the environmental aims of the Framework.
33. I therefore find the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

34. For the reasons set out above and having regard to all matters raised, I conclude that the proposed development would conflict with the development plan and Framework when read as a whole.
35. Overall, I find there to be no material considerations that would indicate that the appeal decision should be taken other than in accordance with the development plan.
36. The appeal is therefore dismissed.

Robert Walker

INSPECTOR