



Appeal Decision

Site visit made on 25 September 2020 by Scott Britnell MSc FdA MRTPI

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd November 2020

Appeal Ref: APP/T0355/W/20/3250360
81 Furze Platt Road, Maidenhead SL6 7NQ

- 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 M Lewington against the decision of the Council of The Royal Borough of Windsor and Maidenhead.
 - The application Ref 20/00054, dated 7 January 2020, was refused by notice dated 23 March 2020.
 - The development proposed is construction of two semi-detached town houses following demolition of the existing dwelling .
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council's appeal statement raises additional matters to those set out in its report. I note that the appellant has responded to these matters in their final statement. These relate to the technical matter of the parking arrangements. Accordingly, and having regard to the principles established by the Courts in Wheatcroft, I have considered these matters in my assessment of the appeal.

Main Issues

4. The main issues in this case are the effect of the proposal on:
 - The character and appearance of the area; and,
 - The effect upon vehicle and pedestrian safety, having particularly regard to the design of the parking and turning area.

Reasons for the Recommendation

Character and appearance

5. The area surrounding the appeal site consists of a mix of residential and commercial uses. There are various building types and styles finished in different materials and with varying plot sizes. This mix contributes to, and defines, the character and appearance of the area.

6. Although residential properties in the area generally have their own independent vehicular accesses and parking areas, the widths and appearance of frontages, including the size and location of accesses, vary greatly. Within this context, the proposed shared access and parking area would not be harmful to the character and appearance of the area.
7. The proposed dwellings would have a shared parking area to the front but the plot would be subdivided to the rear. The resultant plot widths would be similar to those at No 77 Furze Platt Road (No 77) and the properties at Nos 1-4 Deansfield Close. Adequate space would be retained between buildings so that the development would not appear cramped. In conjunction with the proportions of the proposed dwellings, this would also ensure that the proposed dwellings would not appear excessively wide.
8. To the rear the proposed dwellings would have a single storey flat roofed projection. Although this would add depth to the dwellings, they would not appear excessively deep. Moreover, the overall depth of the dwellings would not appear excessive compared to other nearby residential development.
9. The proposed dwellings would also clearly appear as two storeys in height, albeit with accommodation in the roof space. I observed that some properties in the area have steeper roof pitches and higher ridge lines than others which contributes to the mix of dwelling types and styles in the locality. Within this context, the proposed dwellings would not in themselves appear excessively high. Moreover, I do not consider that the roofs would appear disproportionate in respect of the overall size and scale of the proposed dwellings.
10. Notwithstanding this, the proposed dwellings would be constructed with a crown roof, incorporating a large flat roof element across the width of both dwellings, and would feature two ridge lines. This would be at odds with the pitched roof forms of neighbouring properties and I consider that this is a poor and contrived design. The proposed roof form would appear as a prominent, incongruous addition to the streetscene, which would be visible from the public realm and surrounding properties. It would be particularly prominent beyond the property at No 77 when approaching the site from the south east. Collectively, these matters would result in unacceptable harm to the character and appearance of the area.
11. I have been referred by the appellant to the development at Willow Close, which they indicate has employed the same roof form. I have also been referred to developments at St Peter's Road and Blackmore Lane. However, I have not been provided with details of any of the developments referred to, including any relevant planning permissions, and consider that they are likely to be viewed in a different context to the appeal proposal. Moreover, each case must be considered on its own merits.
12. Given my findings, I conclude that the proposal would be harmful to the character and appearance of the area, in conflict with Policies DG1 and H10 of The Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted in June 2003) (LP), which require, among other things, for new residential development to display high standards of design, with special regard given to the roofscape of buildings. There would also be conflict with the design objective set out at Section 12 of the National Planning Policy Framework (the Framework); in particular paragraph 127, which among other

things, states that planning decisions should ensure developments add to the overall quality of the area and are visually attractive.

13. The Council also refer to Policy H11 of the LP, which relates to the density and scale of development. In light of my findings, I do not consider that the proposal would conflict with this policy.

Vehicle and pedestrian safety

14. The appeal site is located on the west side of the A308 Furze Platt Road, opposite the junction with St Peter's Road. This section of the road is subject to a 30mph speed limit and there are double yellow lines either side of the carriageway to the front of the appeal site. I observed the road to be busy with traffic passing the appeal site throughout the duration of my visit. While my observations represent a snapshot in time, there is no evidence before me to indicate that the road conditions I witnessed were not typical.
15. The proposal includes three parking spaces for each dwelling within a shared area to the front of the proposed dwellings. Although space on site would be restricted, there appears to be sufficient space to turn a vehicle around. While this may take a number of turning manoeuvres and would be likely to result in vehicles passing in front of the neighbouring dwelling, I do not consider that this would be unacceptable or inconvenient to the intended occupiers of the dwellings. Given this, and the local highway conditions, there would be a high probability that users of the access would be able to enter and exit the site in a forward gear.
16. Although vehicles entering and leaving the site would need to cross over a pavement which is likely to be busy at certain times of the day with pedestrians, including school children, this is the situation at present. The vehicle movements associated with an additional dwelling using the access would be low and would be unlikely to result in a situation whereby harm would be caused to the safety of pedestrians using the highway, or other road users. Such users would be likely to be aware of the local highway conditions, including residential accesses leading onto the highway and adjust their behaviour accordingly. Moreover, a condition could be imposed, controlling the visibility splays at the access, such that pedestrians could see vehicles exiting the site and drivers of vehicles could see pedestrians on the pavement.
17. The proposed car parking spaces would extend the width of the appeal site and there would be no separate pedestrian access to the dwellings. In the event that all 6 of the car parking spaces were occupied by vehicles, there would only be limited space between the vehicles for occupiers or visitors to the dwellings to walk through when arriving at or leaving the properties. In such circumstances it would be difficult for those in a wheelchair or with a pushchair to access the dwellings. Given my findings in this regard, it is clear that the design of the parking area would not be safe or suitable for all users.
18. I note the appellant's suggestion that a footpath could be provided on the site. The Council is silent on this matter. Whilst I have no details of this, it is a matter that could be controlled by a suitably worded planning condition in the event that the appeal is allowed.
19. Subject to a suitable pedestrian access to the dwellings being provided, I conclude that the design of the parking and turning area would not result in

harm to vehicle or pedestrian safety. Accordingly, there would be no conflict with LP Policy DG1, which states among other things that development should provide adequate vehicle access and that the traffic generated by the proposed development should not have an unacceptable effect on the local road network. There would also be no conflict with Paragraphs 108 b) or 110 c) of the Framework, which seek to ensure that safe and suitable access to the site is achieved for all users, and that applications for development create places that are safe, which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

20. The Council's decision notice refers to Policy T5 of the LP, which states that all development proposals will be expected to comply with the Council's adopted Highway Design Standards. As I have not been provided with a copy of those standards I have been unable to assess the proposal against them. Moreover, I have not been provided with a copy of the document RBWM Highways Design Guide referred to within the Council's appeal statement.

Other Matters

21. The Council's report acknowledges that it cannot demonstrate a 5 year supply of housing land, although I have not been advised of the precise level of shortfall. In such circumstances, the Framework makes it clear that the most important policies for determining the application are out of date in the terms set out in paragraph 11d) and footnote 7 of the Framework. Thus, planning permission should be granted, unless the effects on areas or assets of particular importance provides a clear reason for refusing the development proposal, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole. This anticipates that a level of harm will potentially be acceptable. This balancing will be considered in the following section.

Planning Balance and Conclusion

22. The proposal would result in the net addition of a single dwelling. This new dwelling would make a contribution to the Council's supply of housing and would be likely to have a number of benefits, including economic and social. However, given the scale of the development such benefits would be likely to be small and as such I attach limited weight to these matters. I note that the proposal would not result in harm to the living conditions of the occupants of the neighbouring dwellings and that adequate living conditions would be provided for the future occupants of the proposed dwellings. I have also found it would not result in harm to highway safety. However, these are neutral factors which do not weigh in favour of the scheme.
23. Against the benefits, I have found that the proposal would result in harm to the character and appearance of the area and would conflict with LP Policies DG1 and H10, the most important policies for determining the appeal, and the Framework.

24. I conclude therefore that the adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

25. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR