
Appeal Decision

Site visit made on 23 March 2023

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 12th May 2023

Appeal Ref: APP/J0350/W/22/3309721

47A Lowestoft Drive, Slough SL1 6PB

- 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 Mrs Lucy Pickering against the decision of Slough Borough Council.
 - The application Ref P/19089/004, dated 31 December 2021, was refused by notice dated 27 April 2022.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a new dwelling at 47A Lowestoft Drive, Slough SL1 6PB in accordance with the terms of the application, Ref P/19089/004, dated 31 December 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan – Produced 9 December 2021; 20-06-01; 20-06-02; and 20-06-03.
 - 3) No works above damp proof course shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The dwelling hereby permitted shall not be occupied until details of hard and soft landscaping, including means of enclosure and boundary treatment have been submitted to and approved in writing by the local planning authority. In relation to the boundary treatment, details will include position, external appearance, height, and materials. Development shall be carried out in accordance with the approved details.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, buildings or enclosures other than those expressly authorised by this permission shall be constructed.
 - 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order

revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on any elevation.

Preliminary Matters

2. During the appeal process, the appellant has prepared some plans in support of the appeal. Although these were not considered by the Council when determining the application, they do not appear to materially change the proposed development as indicated on the submitted plans, but rather illustrate points made by the appellant in their appeal statement and I have considered them on that basis.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - highway safety.

Reasons

Character and appearance

4. The appeal site is located in a residential cul-de-sac where most properties are two-storey terraced houses on relatively small plots. Rear gardens surrounding the appeal site are typically subdivided by close boarded fencing. The proposed house would be attached to an existing bungalow of modest scale which is set back from the turning head of the cul-de-sac.
5. The Council has granted planning permission for an extension to the bungalow. I am satisfied that there is greater than a theoretical possibility that the extension proposal might take place and I attach significant weight to the existence of this extant planning permission. The proposed new dwelling has very largely adopted the same design, with the only significant differences being the introduction of an additional window and front door to the front elevation at ground floor level.
6. The proposed dwelling would result in an intensification of use compared to the extended bungalow as although the number of bedrooms would be the same, a new dwelling would increase comings and goings and would result in the introduction of additional domestic paraphernalia, such as waste bins and would also result in the introduction of an additional parking space. However, these are common features associated with a residential property and bearing in mind the proposed dwelling would be located in an established residential area, the intensification related to the introduction of a modest one bedroom house and associated elements would not cause harm to the character and appearance of the area.
7. Existing properties in the area are predominantly terraced houses on relatively small plots and gardens separated from neighbours by close boarded fencing are a common feature. The overall plot size would be similar to other properties in the area and the introduction of the proposed dwelling with a private garden would not appear incongruous or cramped. Further, the size of the garden would be similar in size to other gardens, would provide adequate private amenity space for future residents and would be separated from

surrounding properties, including the existing bungalow in a coherent way that would be compatible with its surroundings.

8. I therefore conclude that the proposal would not harm the character and appearance of the area and it would accord with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 adopted in December 2008 (SLDFCS) and Saved Policy EN1 of the Local Plan for Slough (LPS) adopted in March 2004 which amongst other things seek to ensure high standards of design and that that proposals should be compatible with and respect their surroundings and reflect the street scene and local distinctiveness of the area. The proposal would also accord with the National Planning Policy Framework (Framework) which seeks to ensure development is sympathetic to local character. In their reasons for refusal the Council cited Saved Policy EN2 of the LPS which relates to extensions and is therefore not relevant.

Highway safety

9. The proposal would involve the provision of an additional parking space which would be one of three communal spaces that would serve the appeal property and the existing bungalow. This would be adequate to serve the proposed dwelling. The introduction of an additional space would make parking somewhat tight in that part of the Lowestoft Drive. However, I am satisfied that the proposed new space would not prevent cars from using the existing spaces.
10. I accept that cars entering or exiting the three spaces serving the existing bungalow and proposed dwelling would at times reverse into or out of these spaces. However, this would not result in an unacceptable impact on highway safety as these parking spaces and others serving neighbouring properties are located adjacent to the turning head of the cul-de-sac which allows vehicles to turnaround and where vehicles would not be travelling at excessive speeds.
11. Further, even if vehicles reversed into or out of spaces, this would not be an unexpected manoeuvre in a cul-de-sac and wouldn't cause a significant inconvenience to existing or future residents.
12. I therefore conclude that the proposal would not have an adverse impact on highway safety. Therefore, it would accord with Core Policy 8 of the SLDFCS and Saved Policy T2 of the LPS which seek to ensure that proposals will be accessible and that a level of parking appropriate to its location will be provided which will overcome road safety problems. The proposal would also accord with the National Planning Policy Framework (Framework) which seeks to ensure that safe and suitable access to a site can be achieved for all users and that development should only be refused if there would be an unacceptable impact on highway safety.

Other Matters

13. The proposal would not result in family housing as defined in the SLDFCS. However, Core Policy 4 sets out that in areas such as this, residential development will predominantly consist of such housing and therefore doesn't preclude all non-family housing. Further, the proposal would result in an additional dwelling to add to the existing housing supply which is of some limited benefit.

14. The Council suggests that an unsuccessful application to reinstate permitted development rights at 47A indicates that the appellant knows that the site is cramped and unsuitable for a dwelling. There is no information before me to support that this represents the appellant's view. I have considered the proposal on its individual merits and the fact that a previous application for an entirely different proposal has been submitted does not alter my conclusions.
15. Neighbours have highlighted that the parking situation is already unacceptable as the existing property is never used as a residential dwelling, the existing property causes disturbance, and the proposal would result in the loss of privacy. I am dealing with a proposal for an additional dwelling next to the existing property and I have limited information about how the existing property is used, but in any event that matter does not materially affect my consideration of the planning merits of this appeal. In terms of the parking situation, for the reasons set out above, I consider that the provision of an additional space is adequate and overall, I have found that the proposal would not have an adverse impact on highway safety.
16. The only difference between the proposal and extant permission for an extension to 47A is the provision of an additional window and front door at ground floor level. As a result, the proposed dwelling would not result in an unacceptable loss of privacy. Similarly, the introduction of a one bedroom dwelling into an established residential area would not cause a harmful level of disturbance to surrounding residents.

Conditions

17. I have had regard to the conditions suggested by the Council and considered whether the tests set out in the Framework for conditions are met.
18. In addition to the standard time limit condition, in the interest of certainty I have imposed a condition requiring that the development is to be carried out in accordance with the approved plans. To protect the character and appearance of the area, it is necessary to impose conditions requiring that details of materials to be used and hard and soft landscaping, including boundary treatment are submitted for approval and the development is implemented in accordance with those approved details. Also, to protect the character and appearance of the area it is necessary to restrict permitted development rights in relation to extensions, buildings, and enclosures.
19. To protect the living conditions of neighbouring residents a condition is necessary to prevent new window openings, other than those expressly authorised. However, given the scale of the proposal and other conditions to be imposed, it is unnecessary to impose a condition related to vehicle access gates, roller shutter doors or other vehicle entry barriers.

Conclusion

20. For the reasons given above, I conclude that the proposal would accord with the development plan and the Framework, and therefore the appeal is allowed.

S Rawle

INSPECTOR