



Appeal Decision

Site visit made on 17 October 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st November 2024

Appeal Ref: APP/J0350/W/24/3347392

Land to the North of 13 Rodney Way, Slough SL3 0PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ademolake (A'lake Slough Limited) against the decision of Slough Borough Council.
 - The application Ref is P/20278/001.
 - The development proposed is the erection of a new two-storey dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the lifetime of the application, the proposal was amended to reduce the size of the dwelling to a 2-bedroom property. The Council considered the application on the basis of the revised plans, and I have taken the same approach with the appeal. The description of the development is taken from the application form, which does not specify the number of bedrooms.
3. Following the submission of additional information in relation to vehicle speeds and visibility at the site access, the Council has confirmed that its highway safety concerns have been addressed. I have considered the appeal on the basis that the third reason for refusal on the decision notice no longer applies.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises a grassed area on The Hawthorns, near to its junction with Rodney Way and Raymond Close. The prevailing character of the area is a residential suburb with mainly two-storey dwellings. This part of The Hawthorns provides access to Pippins Primary School. It is therefore visited frequently by residents and visitors travelling to and from the school.
6. The proposed dwelling would align with the front building line on Rodney Way and Raymond Close, and, although not identical in all respects, it would have a similar scale, height, width, massing, and appearance to other dwellings in the locality. Given the property would address two streets, no harm would arise in its principal elevation fronting The Hawthorns, which would reflect the orientation of other corner properties in the area.

7. However, whilst the appeal site is not designated as public open space, the absence of buildings within it allows for public views to be gained between Rodney Way and The Hawthorns, over the low height fencing on neighbouring plots. This creates a sense of space in the reasonably dense built-up area, in a similar manner to other small pockets of amenity grass that I observed in Rodney Close. The site therefore makes a positive contribution to the visual amenity of the area, notwithstanding that it is in private ownership and could have modest recreational or ecological value. The site therefore has the character of informal green space as described in the supporting text to Policy OSC8 of The Local Plan for Slough (Adopted 22 March 2004) (LP).
8. The Visual Assessment submitted with the appeal finds the loss of this small, informal space would have a negligible impact on local character and public views, particularly given its proximity to the larger Pippins Park with its recreational facilities. However, at two storeys high, and given its width and depth, the proposed dwelling would bring substantial built form onto this site which is currently visually open. Moreover, and notwithstanding the proposed boundary landscaping, the development would have an enclosing effect on The Hawthorns due to its small setback from the road frontage. The effect would be particularly harmful given the side wall opposite lies hard-up against the public footway. Overall, the loss of this open, green space would have a deleterious effect on local character on this prominent route to the school.
9. The development proposed would not lead to terracing on the Rodney Way frontage due to the intervening space between the site and the side wall of 13 Rodney Way. However, there would be an awkward relationship between the two properties, due to the proximity of the proposed side elevation to No 13's driveway and front garden area. Indeed, the mock door and inward-opening windows are symptomatic of the poor juxtaposition between the two dwellings. Moreover, due to the orientation of the proposed dwelling, its ground floor side windows would border, and could be partially obscured by, the boundary treatments, parked cars, and domestic paraphernalia associated with the neighbouring dwelling. This would conflict with the National Planning Policy Framework (the Framework) insofar as it expects developments to be of a high-quality design.
10. Overall, I conclude that the development would cause harm to the character and appearance of the area. Therefore, there would be conflict with Core Policies 1, 4 and 8 of the Slough Local Development Framework Core Strategy 2006-2026 (CS), Policies H13 and EN1 of the LP which, taken together, expect developments to be of a high-quality design that is in-keeping with local context and enhances local character and identity. There would also be conflict with Policy OSC8 of the LP which resists the loss of green spaces unless the amenity value is largely retained and enhanced.

Planning Balance

11. The proposal conflicts with the aforementioned development plan policies, and with the development plan when read as a whole. Proposed development that conflicts with the development plan should normally be refused unless material considerations indicate otherwise.
12. The Council concedes that it cannot demonstrate a 5-year supply of deliverable housing sites. If I were to accept the appellant's position that the supply is 2.6 years, which has not been disputed by the Council, the shortfall is significant.

Moreover, the Council has not contested that the delivery of housing in the Borough has fallen below 75% of the requirement over the previous 3 years. In these circumstances, paragraph 11(d) of the Framework is engaged.

13. The site does not fall within an area or asset of particular importance, which provide a clear reason for refusing the development under the provisions of paragraph 11(d)(i) of the Framework. I shall therefore proceed to consider the appeal under the terms of paragraph 11(d)(ii).
14. Whilst the Framework encourages development that makes optimal use of land, it also expects proposals to secure well-designed, attractive places that respond to local character. This aligns with a key aim of Core Policies 1, 4 and 8 of the CS, and Policies EN1 and H13 of the LP, which seek to secure high quality design that is compatible with the surrounding area. I therefore see no reason to reduce the weight I attach to the conflict with these policies.
15. Although the site is not designated as Local Green Space, national policy does not preclude the importance of other amenity spaces from being considered as part of local character. Indeed, it recognises that a strong sense of place can be derived from the arrangements of streets, spaces, and materials that create attractive, welcoming places to live, work and visit. I therefore find Policy OSC8 of the LP to remain pertinent in my consideration of this appeal.
16. There would undoubtedly be social and economic benefits arising from the scheme. The provision of an additional family home would contribute towards local housing needs, by optimising land use in this well-connected area. Due to its small size, it could be delivered expeditiously. Nonetheless, the contribution to housing supply that would be made by this single dwelling proposal would be modest. Therefore, whilst I attach significant weight to the principle of housing delivery, in the context of the scheme, these benefits carry moderate weight.
17. No harm has been identified in respect of the principle of residential development in the area, which is not constrained by Green Belt or industry. Given that Core Policy 4 of the CS does not preclude limited infilling with family houses in suburban areas, I see no reason to take a different view. Moreover, the Council did not advance concerns about the living conditions of neighbours, the standard of accommodation, or flooding in its reasons for refusal. The absence of harm weighs neither for nor against the proposal.
18. Overall, the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework when taken as a whole. Consequently, the presumption in favour of sustainable development does not apply.

Conclusion

19. The proposed development would conflict with the development plan, and the material considerations, including the provisions of the Framework, do not indicate a decision should be made otherwise than in accordance with it. Therefore, for the reasons given above, the appeal should be dismissed.

E Catchside

INSPECTOR