



Appeal Decision

Site visit made on 5 March 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref: APP/J0350/D/25/3359945

190 Stoke Road, Slough, SL2 5AY

- 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 Jaspreet Arora against the decision of Slough Borough Council.
 - The application reference is P/01860/014.
 - The development proposed is retrospective, front and side boundary wall.
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Decision

1. The appeal is allowed, and planning permission is granted for retrospective, front and side boundary wall, 190 Stoke Road, Slough, SL2 5AY in accordance with application ref: P/01860/014 and the plans submitted with it subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: (combined plans) drawing no. 2304/PL/03 and 2304/PL/01.
 - 2) The external materials used within the development hereby permitted shall match those of the existing dwelling and as stated within the application form. Materials will be maintained for the lifetime of the development and any changes shall be submitted to, and approved in writing by, the Local Planning Authority.

Procedural Matters

2. Since the determination of this application a revised National Planning Policy Framework 2024 (the Framework) was published on 12 December 2024. Given the refusal reasons and the nature of the changes to the Framework I am satisfied that the changes do not materially impact upon the determination of the appeal in this case, and, in any case, the appeal was submitted after the publication of the revised Framework.

Main Issues

3. The main issues are the impact of the proposal upon i) the character of the street scene and ii) highway safety.

Reasons

Character of the Street Scene

4. The appeal site is a two-storey detached dwelling located on Stoke Road – a short distance from the traffic light junction with Elliman Avenue and Shaggy Calf Lane. At the time of my site visit I found the character and appearance of the street scene

to be quite varied in terms of boundary treatment and frontages. Within the vicinity of the appeal site, I noted that boundary treatments include brick walls, with railings, plain brick walls, hedgerows and some with open frontages. Overall, the height, materials and appearance of the dwellings and their associated frontages I found to be notably varied as part of the overall street scene. Whilst examples of front gates may be more limited, in comparison to the general boundary features noted above, I do not find that the Council's assessment (that there are no other houses that have a means of boundary treatment exceeding a metre in height or that there are no examples of boundary walls and railings within the vicinity of the appeal site itself) is representative of what I saw during my site visit.

5. The appellant evidences that the location of the front boundary wall is in place of a hedgerow boundary. The hedge, shown by the photographs submitted, would have been of a greater height than the boundary treatment which is the subject of this appeal and whilst I note that it would potentially have been visually softer than the current proposal I do not find that, by comparison, the proposal results in an overly dominant and incongruous feature to the detriment of the character of the street scene. I do not find that the proposal appears visually obtrusive or abrasive nor that it disrupts the character and appearance of the frontages of the nearby dwellings. Overall, I find the boundary treatments and general appearance of the frontages of dwellings within the vicinity of the appeal site to be varied in character and appearance and find that the proposal before me is appropriate in terms of the varied character and appearance of the street scene.
6. I note the Council raise concern with regard to the application of render which they feel would age poorly over time resulting in an unattractive feature within the street scene, however, in this case the use of render to match the host dwelling I find assists, visually, with the overall acceptance of the proposal. The render on the host dwelling itself is stated, by the appellant, to have been applied in 2019 during refurbishment of the property and at the time of my site visit I did not find that the existing render was aging so poorly that it would be sufficient to warrant refusal of the proposal before me based upon the finish. I note that the Council make reference to previously refused similar applications such as P/04776/001 and appeal reference APP/J0350/W/20/3257478, however, no further information has been submitted in relation to these cases to allow consideration as to any similarity or consistency in approach in relation to the appeal site which is before me.
7. The proposal would be consistent with the Adopted Local Plan for Slough 2004 (LP) Policy EN1 which requires development of proposals to be of a high standard of design and be compatible with their surroundings and Slough Local Development Framework Core Strategy 2008 (CS) Core Policy 8 which seeks to ensure development is of a high-quality design which respects its location and surroundings.
8. The proposal would also be consistent with the guidance set out within the Residential Extension Guidelines Supplementary Planning Document 2010 (SPD) EX49 which outlines that where planning permission is granted for front boundary walls/gates or other means of enclosures they must reflect the character of the area and, in this case, as outlined I find that the proposal is appropriate in the context of matching the finish of the host dwelling and there being a varied character and appearance in terms of boundary treatments and means of enclosure within the vicinity of the appeal site itself. The proposal would also be consistent with

paragraph 135 of the Framework which seeks to ensure that development is sympathetic to local character including the built environment while not preventing or discouraging inappropriate innovation or change.

Highway safety

9. I note the Council's reference, within their delegated report, to permitted development rights and the requirement not to exceed a metre in height when adjacent to a highway used by vehicular traffic with a requirement, within the SPD, that cars leaving a property should have good pedestrian visibility (EX44). Whilst reference to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) may be of some comparison or a general benchmark it should be kept clearly in mind that the proposal that is the subject of this appeal is one which falls to be considered as a full planning application. I appreciate, however, that inclusion of an extract from the GDPO has been done so in order to reiterate the Council's stance as to obstruction of the view of persons using any highway used by vehicular traffic.
10. The appeal proposal that is before me stands at a height of in the region of 1.7 metres (at its highest point – the pillars) and I note that it is located directly adjacent to the footpath. Despite this the design of the boundary treatment would result in views being available through the top of the boundary treatment with the solid part of the boundary wall having an actual height in the region of 1.19 metres. I find that this would offer some views through the boundary treatment which would assist in visibility for vehicles and pedestrians particularly in comparison to the existing green hedge which was in place. I acknowledge the comments of the Transport and Highways consultee, however, taking into account the existing boundary treatment at the appeal site and also the general set up and visibility splays along Stoke Road as a whole as a result of similarly arranged access points I do not find that this is sufficient to warrant refusal on this occasion.
11. At the time of my site visit I found Stoke Road, and the general area, to be very busy in terms of vehicular traffic as well as pedestrian movements. Whilst I appreciate that my site visit is only a snapshot in time, I found the speed of traffic in and around the appeal site to be very slow largely as a result of the appeal site's proximity to a traffic light junction which regularly holds traffic, outside the appeal site, until it is their turn to cross the junction in question. Whilst outside the appeal site I witnessed several vehicles utilise access points in close proximity to the appeal site with similar, if not higher, boundary treatments (for example hedging) without issue or conflict and I find that the proposal would result in better visibility than the existing hedgerow previously on site.
12. Overall, I find that the proposal would not cause concern or a highway safety problem which would create conflicts between vehicles and other highway users on Stoke Road not any conflict with pedestrian access to the neighbouring Lynch Hill Academy and Arbour Park Leisure Centre. The proposal would also be consistent with CS Core Policy 7 which seeks to confirm that development proposals will improve or make appropriate provision for road safety. The proposal is consistent with the requirements of the Framework, paragraph 116 - that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impact would be severe, taking into account all reasonable future scenarios.

Conditions

13. The Council's questionnaire does not suggest any conditions as necessary in the event this appeal is allowed. Whilst the Council's delegated report does allude to other conditions being explored, particularly in relation to opening and closing of the gates, this has not been pursued or reiterated within the Council's questionnaire. A time condition is not necessary as the application is made on a retrospective basis. A condition requiring development to be in accordance with the approved plans is required to control and define development which is granted consent, and a materials condition is required to ensure an appropriate finish in accordance with the details submitted – to match the host dwelling.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Marshall

INSPECTOR