



Appeal Decision

Site visit made on 12 February 2025 by S Indermaur

Decision by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/J0350/D/24/3354490

15 Market Lane, Slough SL3 8BQ

- 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 R Dhingra against the decision of Slough Borough Council.
 - The application Ref is P/00282/005.
 - The development proposed is described as “a retrospective application to retain an existing boundary brick wall.”
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. At the time of the site visit a brick boundary wall with metal railings and gates reflecting those shown in the application plans had already been constructed. A retrospective application has been made for the retention of a brick boundary wall. However, retention as referred to in the application form and decision notice does not constitute an act of development. I have therefore dealt with the appeal on the basis that planning permission is being sought for the erection of a boundary wall, in accordance with the drawings submitted.

Main Issues

4. The main issues are the effect of the proposal on the:
 - Character and appearance of the street scene; and
 - Highway safety.

Reasons for the Recommendation

Character and Appearance

5. The appeal property is semi-detached bungalow located on Market Lane close to its junction with Burroway Road. It faces Market Lane and has vehicular access on to the Lane but also has a driveway onto Burroway Road. A brick wall with pillars and metal railings has been erected to the front and a higher brick wall topped with shorter railings has been erected to the side boundaries. Evidence submitted indicates that previously, the site was bounded by a mix of hedging and wooden

fencing. In this part of the Lane there is a mixture of semi-detached houses and bungalows. Typically, they have open frontages with side boundary fences and hedges and bushes in front gardens are commonplace. Where walls have been erected, they tend to be dwarf walls with short pillars at their corners. The majority of which are restricted to the side boundaries, leaving the frontage of properties relatively open resulting in a pleasing sense of spaciousness. Collectively, the above attributes add positively and distinctively to the character and appearance of the area.

6. The wall, which is the subject of this appeal, is built of brick broadly matching that of the host property and is infilled with metal railings between brick pillars. Sliding metal gates have also been erected. Principle EX49 of the Council's Residential Extension Guidelines SPD 2010 (SPD) advises that walls and gates should be designed to reflect the existing character of the street and surrounding area.
7. However, the height and location of the boundary treatment close to the junction means that it is highly visible and prominent, and at odds with the prevailing form of boundary treatments within this section of the Lane. Whilst the wall on the side boundary facing Burroway Road is set back from the highway by an area of green space, it does not diminish the prominence of the structure at the junction and the green space does not serve to soften the appearance of the wall.
8. I acknowledge that the front wall may be, at least in part, lower than the hedge which it replaced. I am, however, mindful that hedges are not subject to planning control and can vary in height over time. Furthermore, hedges tend to contribute to a sense of verdancy within the street scene.
9. Therefore, the development causes harm to the character and appearance of the street scene. As such, it conflicts with Core Policy 8 of the Slough Local Development Framework Core Strategy 2008 (CS) and Policies H15 and EN1 of the Slough Local Plan 2004 (LP). Together these Policies seek development proposals that reflect high quality design that is in keeping with the surrounding area.

Highway Safety

10. The Council rely on advice given for an alternative property in another location. However, I observed that the boundary walls are at a total height of approximately 1.7 metres and are located at the back of the highway. Although the appeal property is in a residential area where vehicle speeds are likely to be low, the vision of drivers leaving the property would be likely to be obscured by the wall and the high brick pillars at the driveway entrance. It would therefore be difficult for anyone leaving the appeal property in a motor vehicle in a forward direction on to Market Lane, to have full view of pedestrians until after the bonnet of the vehicle had left the drive and manoeuvred onto the pavement. It would be even more difficult to see the pavement if reversing off the drive onto Market Lane. I therefore consider that this is an unacceptable risk to the safety of pedestrians, especially those with small children or pushchairs.
11. Consequently, the development would have an adverse impact on pedestrian and highway safety. For the reasons detailed above, the development would cause harm to highway safety. This would be contrary to CS Core Policy 7 which states that development proposals should make appropriate provisions for road safety and also with the aims of the Framework to promote highway safety. It would also

conflict with the advice set out in the SPD in relation to boundary treatments which states that cars leaving a property should have good pedestrian visibility.

12. The Council have referred to LP Policy T2 in relation to this main issue which is concerned with appropriate parking provision within developments not relevant to this appeal and to its Transport and Highway Guidance Document (2008) which is aimed at residential and commercial developers rather than householders. These have not been determinative factors in coming to my recommendation on this main issue.

Other Matters

13. The gate and boundary walls have been designed as a deterrent against unwanted intruders onto the appeal site. Whilst I do not doubt that security may be a genuine concern to the appellant, I have not been provided with any substantive evidence that criminal activity is a particularly prevalent issue in the area and from my observations other residential properties close by have not taken similar measures to protect their properties. I note that evidence was offered in this respect however, it was not submitted with the appeal, and I see no reason why I could not have been provided with it in a suitably redacted form. Nevertheless, I am not persuaded that this matter overrides the harm that I have identified on both main issues.
14. I note that the appellant says that an alternative scheme has been put forward, although, I have not had sight of this. I am nevertheless obliged to consider the proposal as determined by the Council. If the appellant wishes to pursue an alternative scheme this is a matter for them and the Council outside of the appeal process.

Conclusion and Recommendation

15. The development conflicts with the development plan read as a whole and there are no material considerations that justify granting permission. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

KL Robbie

INSPECTOR