

Registration Date:	23-Mar-2011	Applic. No:	P/06883/002
Officer:	Mr Smyth	Ward:	Wexham Lea
Applicant:	Ms. J Vagarwal		
Agent:	Mr. David Webb, Uxbridge Design 21a, The Old Bakery, Windsor Street, Uxbridge, Middlesex, UB8 1AB		
Location:	2, The Link, Slough, SL2 5TP		
Proposal:	ERECTION OF AN ATTACHED TWO STOREY THREE BEDROOM HOUSE TOGETHER WITH PARKING FOR BOTH EXISTING AND PROPOSED DWELLING		

Recommendation: Refuse



P/06883/002

1.0 **SUMMARY OF RECOMMENDATION**

1.1 This application is of a type which is normally determined under Officer powers of delegation; however the application has been called in by Ward Councillor Sohal for determination by Planning Committee, on the following grounds:

- The proposed dwelling breaches the return building line by 1.4 metres
- The proposed development is out of character with the area
- The development would obscure the view on this corner plot
- A petition containing 75 signatures has been signed by neighbours

1.2 Having considered the relevant Policies below, the development is considered to have an adverse affect on the sustainability and the environment for the reasons set out.

1.3 Refuse for the reasons set out at the end of the report.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This application is for the erection of an attached two storey three bedroom house together with parking for both the existing and proposed dwelling.

3.0 **Application Site**

3.1 The site comprises a pre- fabricated double side garage with driveway and side garden laid to grass and enclosed by a low brick wall. The host property is an end of terraced two storey house. The site occupies a prominent corner location and is open in nature.

3.2 The character of this part of the Wexham Court estate is one of predominantly terraced housing with gable ends, for which the open breaks and spaces are an important characteristic of an otherwise fairly dense built up area. There are occasional pairs of semi detached houses interspersed between the main terrace blocks.

4.0 **Site History**

4.1 Planning permission was refused on 8th October 2010 for: *“erection of part two storey rear extension with hipped and pitched roof/part single storey rear extension with flat roof to no. 2 the link and erection of two storey detached building with hipped and pitched roof to provide 2 no. x two bedroom flats together with parking and amenity space”.*

4.2 The reasons for refusal are set out below:

1. *The site lies outside of the Town Centre Area within the suburban residential*

area of Wexham Court and the development (excluding the rear extension to no. 2 The Link) does not constitute family housing in accordance with Core Policy 4 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 which itself reflects the findings of the Berkshire Strategic Housing Market Assessment, which identified a significant shortfall in the provision of family housing in Slough.

2. *The development (excluding the rear extension to no. 2 The Link) will result in a significant degree of enclosure in an otherwise open site. Open breaks are characteristic of this part of the Wexham Court estate and provide welcome visual relieve in what would otherwise be a fairly densely developed housing estate. The development would therefore be harmful to the character and appearance of the street scene and that of the surrounding area contrary to Planning Policy Statements 1 and 3, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policies H13 and EN1 of The Adopted Local Plan for Sough 2004.*
3. *The proposed development (excluding the rear extension to no. 2 The Link) by virtue of its siting forward of the return building line formed by 29 - 39 The Normans together with its design and external appearance incorporating a hipped and pitched roof , its window style and proportions, its detached nature and insufficient visual break with the existing house at no 2 The Link, results in a poor visual relationship with neighbouring properties which is harmful to the character and appearance of the street scene and surrounding area contrary to Planning Policy Statements 1 and 3, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policies H13 and EN1 of The Adopted Local Plan for Sough 2004.*
4. *The applicant has failed to demonstrate that the required car parking necessary to serve the development can be provided on site without compromising pedestrian safety or the Council's approved policy on the provision of vehicle crossovers and is thereby contrary to Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Sough 2004 and The Slough Local Development Framework Residential extension Guidelines Supplementary Planning Document January 2010.*

4.3 An appeal was made to the Secretary of State against the Council's decision to refuse planning permission and which was subsequently dismissed.

4.4 The Appeal Inspector identified four main issues:

- (i) whether the flatted type of housing would be appropriate having particular regard to Core Policy 4 (CP4) of the Core Strategy1 (CS)
- (ii) the effect on character and appearance of the streetscene and surrounding area with particular regard to openness
- (iii) the effect on character and appearance of the streetscene and

surrounding area with particular regard to positioning as well as design and

- (iv) whether it has been demonstrated that car parking could be safely provided with particular regard to the provision of vehicle crossovers.

4.5 With respect to point (i) the Inspector concluded:

“The Core Strategy (CS) and Strategic Housing Market Assessment (SHMA) clearly distinguish between the need for flats and for family houses and I found nothing to convince me that the small proposed two bedroom flats would equate to family houses for the purposes of Core Policy 4 (CP4). Furthermore, whilst the SHMA identifies a growing number of single-person households, this demand is to be met in urban rather than suburban areas and there is also a large supply of flats already in the pipeline. In addition, elderly people might wish to live near to their families but I am not persuaded that this need would have to be met by suburban flats at the appeal site, particularly given the proximity of urban areas that could possibly be more suitable. 8. For the reasons set out above, the proposed flatted development would conflict with the CP4 requirement for family houses in suburban areas”.

4.6 With respect to point (ii) the Inspector concluded:

“There are many street corners within the estate and some have been in-filled with houses or extensions. However, the appeal site has a prominent corner position at one end of The Link which is a short street characterised on the south side by largely un-eroded and open corners with very wide gaps against nearby housing. Also, The Link forms an approach to the adjoining park and there are views of trees across the open corners. For these reasons, the appeal site has retained the original open feel which particularly characterises this part of the streetscene and generally distinguishes it from other corner sites on the estate that were drawn to my attention.

The proposed use of a hipped roof would slightly reduce any loss of openness and there is already a single storey garage on the site. However, the proposed two storey block of flats would be very much larger than the garage and would extend well beyond the building line of houses in The Normans. As a result, the scheme would create a sense of enclosure that would harm the existing open character of the prominent corner. Furthermore, each decision must be made on its own individual merits as well as circumstances and I saw nothing amongst the other in-filled corner plots to persuade me that the proposal would not harm the particular open character of this specific part of the streetscene”.

4.7 With respect to point (iii) the Inspector concluded:

“The hipped roof design would respond to the form of some end of terrace roofs in the locality but the roof of the immediately adjacent building has a simple gable end form. The scheme would read as a hipped roof detached house inserted very close up against the contrasting gable end of a terraced block in an area generally, although not entirely, characterised by short terraced blocks with some semi-detached houses. The resulting rather incongruous appearance would be further emphasised by both the failure to respond to the design of existing windows and also the failure to create an adequate visual gap between structures. Moreover, although set well back from the plot edge, the flats would sit a long way forward of the established building line in The Normans and the

consequential dominant positioning would serve to exaggerate the uncharacteristic appearance”.

- 4.8 With respect to point (iv) the Inspector concluded:
“There are shortcomings in the access arrangements shown in the original application drawings. However, it seems to me from the subsequent illustrative drawing and from my site inspection that it should be possible to provide suitable crossovers and visibility splays within the site which would comply with the requirements of the Highways Authority. Notwithstanding the level of learner traffic and the presence of some school routes, I therefore consider that the safe provision of on-site parking including crossovers could be achieved by a condition requiring a suitable access and parking scheme”.

5.0 **Neighbour Notification**

- 5.1 29, 31, 90, 92, The Normans
1,3 ,4 ,6, 8 The Link

- 5.2 One letter of objection received from the occupier of 3 The Link.

- *The proposal for an attached two storey house is false. What the plans actually show is “2 no. X two bed flats*

Response: The previous application which was refused planning permission and subsequently dismissed on appeal showed a building containing two flats. The current proposal has been changed to comply with Core Policy 4.

- *Proposal for 5 no. cars to serve 7 no. bedrooms is inadequate.*

Response: 4 no. car parking spaces are the minimum required to serve the existing and proposed house. 5 no. spaces are provided which complies with the Council’ s guidelines.

- *Road safety concerns given link road is an important route for school children and used b learner drivers.*

Response: No objections have been raised by the Council’s transport/highway engineers on grounds of highway safety. Neither were any such concerns raised by the Appeal Inspector.

- *Breach of return building line to the Normans.*

Response: it is acknowledged that there would be a breach of the return building line to the Normans. The degree of breach varies according to how it is measured. If measured from the front corner of no. 29 The Normans and taking a line parallel with the flank wall of the proposed house the breach would equate to approximately 1.4 metres. However, if a trajectory is taken from the front face of the existing terrace at 29 – 39 The Normans, the breach would equate to approximately 1 metre at the rear of the building reducing down to approximately 0.5 metre at the front of the property. It should be noted that the degree of breach has been reduced from 3 metre breach in relation to the previous application. It should also be noted that any further reduction in the width of the dwelling such that no breach would occur would upset the overall balance of the existing terrace of 2 – 8 The Link, due t o a lack of proportionality with the existing houses. It is considered that the proposal as is, represents a balanced approach.

- Concerns about drainage capacity & possible flooding

Response: The site is not identified as area which is liable to groundwater flooding and details of foul and surface water drainage will be dealt with at the Building regulations stage.

- Plans do not show extensions to the existing house

Response: The previous planning application included plans to extend the existing house. These have not been included as part of the current submission

- Noise and disturbance as the house is likely to be rented out

Response: Tenure is not a planning consideration.

A further letter from the occupier of 29 The Normans.

- A dangerous corner in highway safety terms, used by learner drivers, route to local school, play area and shops

Response: This was a matter considered by the Appeal Inspector, but rejected on the grounds that: *“Notwithstanding the level of learner traffic and the presence of some school routes, I therefore consider that the safe provision of on-site parking including crossovers could be achieved by a condition requiring a suitable access and parking scheme”*.

- Three bed house would be out of character, breach the return building line, result in overlooking and loss of privacy

Response: Matters relating to a breach of the return building line are outlined above. The proposed house will face directly towards the flank wall of no. 29 The Normans with a separation distance of over 20 metres between the proposed and existing dwellings and 17 metres from the side boundary to no. 29. This exceeds the Council’s minimum guideline separation of 15 metres in such circumstances. **However, the principle of the development must still be in question, given the Appeal Inspectors concern about the infilling of this prominent corner plot leading to a greater degree of enclosure and thereby detracting from the area’s character.**

- Parking on both sides of the road restricts access for emergency vehicles.

Response: As stated above, the proposal complies with the Council’s approved car parking standards.

- Overload drains and sewers

Response: This is detailed above

- The loss of the kitchen door will be a health and safety issue

Response: This is a matter which would be dealt with at the Building Regulations stage.

A petition has been received containing 75 no. signatures. The objection raised are:

- Out of character

- Dangerous corner used by learner drivers, access to children’s play area, local school and shops
- Parking issues.

Response: all of these matters have been responded to above.

6.0 **Consultation**

6.1 **Wexham Parish Council**

Objections raised on the following grounds:

- Overdevelopment, out of character and will impact on street scene
- Loss of natural light and privacy for neighbouring properties
- Will exacerbate existing parking problems
- Greater enclosure
- Garden space would be minimal
- Pressure on infrastructure

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1

1 This application is considered alongside:

- Planning Policy Statements 1 & 3
- Core Policies 1, 3, 4, 7 and 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008.
- Policies H13, H14, H15, EN1, EN2 and T2 of the Adopted Local Plan for Slough 2004.
- Slough Local Development Framework Residential extension Guidelines Supplementary Planning Document January 2010.

7.2

The development is considered in the context of the following:

- Principle of Development
- Design and Street Scene Impact
- Impact on neighbours and Surrounding Area
- Living conditions
- Amenity Space
- Access & Parking

Principle of Development

7.3

The proposals to erect an attached three storey family house with a floor area of approximately 90 sq metres, with access to a private rear garden, complies with the requirements of Core Policy 4 and falls within the definition of a “family house” as set out in the Local Development Framework Core Strategy (2006 - 2026) Development plan Document December 2008.

7.4 The proposal to construct a family house rather than flats as previously proposed now adequately addresses reason for refusal 1 as set out in the previous planning refusal (P/06883/001) as endorsed by the Appeal Inspector.

7.5 **However, turning to reason for refusal no. 2, which clearly relates the principle of the development, the site occupies a prominent corner location which is open in nature. This openness on corner plots is characteristic of this part of the Wexham Court estate. As such it is considered important that such sites should be kept free from development as to permit development here would lead to an unacceptable degree of enclosure which would significantly detract from the character of the area and as such would be contrary to the principles set out in Planning Policy Statements 1 and 3. PPS1 and PPS3 state that: Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.**

7.6 **This is a view which was shared by the Appeal Inspector and which raises very real concerns about the principle of a development in this location. The Appeal Inspector expressed very strong views about the open character of this part of the Wexham Court estate, and by reference to the site stated *“the appeal site has a prominent corner position at one end of The Link which is a short street characterised on the south side by largely un-eroded and open corners with very wide gaps against nearby housing. Also, The Link forms an approach to the adjoining park and there are views of trees across the open corners”*.**

In this regard it is not considered that the current application overcomes reason for refusal no. 2 in relation to the previous planning refusal reference P/06883/001, as set out in paragraph 4.2 above. As such objections are raised to the principle of development insofar as the development will adversely impact on the character and appearance of the streetscene and surrounding area with particular regard to openness. The development is thereby contrary to PPS 1, PPS3 and Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and policies H14 and EN1 of the Adopted Local Plan for Slough 2004.

Design and Street Scene Impact

7.7 Notwithstanding the issues concerning enclosure, in terms of appearance the proposed house is an attached house which maintains the front and rear building lines and consistent ridge height. The design and proportions would relate reasonably well to the existing terrace. The proposed house would be marginally less wide than the existing houses, 7.5 m wide compared to the existing houses which dimension 8.25m wide. This reduced width is necessary to ensure that the breach of the return building line remains within acceptable parameters.

7.8 The breach of the return building line to The Normans is a particular concern to local residents. The degree of breach varies according to how it is measured. If

measured from the front corner of no. 29 The Normans and taking a line parallel with the flank wall of the proposed house the breach would equate to approximately 1.4 metres. However, if a trajectory is taken from the front face of the existing terrace at 29 – 39 The Normans, the breach would equate to approximately 1 metre at the rear of the building reducing down to approximately 0.5 metre at the front of the property. It should be noted that the degree of breach has been reduced from 3 metre breach in relation to the previous application. It should also be noted that any further reduction in the width of the dwelling such that no breach would occur would upset the overall balance of the existing terrace of 2 – 8 The Link, due to a lack of proportionality with the existing houses. It is considered that the proposal as is, represents a balanced approach.

- 7.9 In addition to concerns raised about the resulting enclosure on this prominent corner site, the Appeal Inspector raised concerns both about the significant breach of the return building line to the Normans and *“The resulting rather incongruous appearance would be further emphasised by both the failure to respond to the design of existing windows and also the failure to create an adequate visual gap between structures”*. However, there are some significant differences between the previous scheme and that now proposed. Firstly, the proposed house is a house attached to the existing terrace, rather than a detached building as previously proposed. Secondly, there is no longer a proposal to extend the existing house and the proposed house does not extend beyond the rear wall of the existing terrace (previously 3 metre projection), thereby reducing the massing and bulk of the proposed dwelling and improving the separation distances with no. 29 The Normans. Thirdly, the proposed dwelling is set back approximately 1.5m further from the back of footway, retaining an overall gap of 7.5 metres from The Normans, 4 metres from the back of footway where the footway turns the corner and 7 metres from the back of footway in the Link. Fourthly, the degree of breach has been reduced by approximately 50% from 3 metres down to approximately 1.4m. Although as set out in paragraph 7.7 above, the exact degree of breach would depend on how that breach is actually measured.
- 7.10 Taking account of all of the above changes it is now considered that the, alternative design and much reduced breach of the return building line along The Normans, adequately addresses reason for refusal no. 3. in relation to the previous planning refusal reference P/06883/001, as set out in paragraph 4.2 above, with regards to the impact of the development on the character and appearance of the streetscene and surrounding area with particular regard to positioning as well as design.

Impact on Neighbours and Surrounding Area

- 7.11 Matters relating to a breach of the return building line have already been discussed. The proposed house will face directly towards the flank wall of no. 29 The Normans with a separation distance of over 20 metres between the proposed and existing dwellings and 17 metres from the side boundary to no. 29. This exceeds the Council’s minimum guideline separation of 15 metres in such circumstances and represents an improvement to the previous scheme which had separation distances of 17m and 14m accordingly.

7.12 No objections are raised on grounds of impact in relation to Policy EN1 of the Adopted Local Plan for Slough.

Living conditions

7.13 As the previous scheme was for provision of flats, room sizes were assessed in relation to the Council's approved guidelines for flat conversions. As the nature of the current proposal is different such an assessment is not necessary, although it has already been stated in paragraph 7.3 above that the proposals to erect an attached three storey family house with a floor area of approximately 90 sq metres, with access to a private rear garden, falls within the definition of a "family house" as set out in the Local Development Framework Core Strategy (2006 - 2026) Development plan Document December 2008.

7.14 No objections are raised on grounds of living conditions.

Amenity Space

7.15 The depth of the proposed rear garden is approximately 15 metres which complies with the Council's approved guidelines. However, conditions will be imposed removing normal permitted development rights. A condition will be imposed covering soft landscaping.

7.16 No objections are raised on grounds of amenity space in relation to Policy H14 of the Adopted Local Plan for Slough.

Access and Parking

7.17 The parking layout as revised and as considered by the Appeal Inspector, is acceptable in terms of layout design and highway safety. The revised parking layout addresses reason for refusal no. 4 in relation to the previous planning refusal reference P/06883/001, as set out in paragraph 4.2 above.

7.18 No objections are raised to the proposed access and parking layout in accordance with Core Policy 7 of the Local Development Framework Core Strategy (2006 - 2026) Development Plan Document December 2008, nor Policy T2 of the Adopted Local Plan for Slough 2004.

8.0 Summary

8.1 The previous planning refusal reference P/06883/001 cited 4 no. reasons for refusal (as set out in paragraph 4.2 above), 3 no. of which, it is considered, have been adequately addressed with respect to the current planning application. The nature of the housing being family accommodation addresses previous reason for refusal 1). The revised siting and design, being an attached dwelling with only a marginal breach to the return building line addresses previous reason for refusal 3). A revised car parking layout adequately addresses previous reason for refusal 4).

8.2 Concerns are still expressed about the principle of developing this prominent corner site which would lead to its enclosure and thereby detract from the character of this part of the Wexham Court estate. This fundamentally goes to the principle of the development and is a matter which the Appeal Inspector

expressed strong views about. Notwithstanding, the changes to the siting design and nature of the development, it is not considered that the revised proposal addresses the previous reason for refusal no. 2)

PART C: RECOMMENDATION

9.0 **Recommendation**

9.1 Refuse.

10.0 **PART D: LIST OF REFUSAL REASON(S)**

Reason(s)

1. The proposed development will result in a significant degree of enclosure in an otherwise open site which occupies a prominent corner position at one end of The Link, a short street characterised on the south side by largely un-eroded and open corners with very wide gaps against nearby housing with important views across the site of trees, giving greater emphasis to the open nature of these corners. Open breaks are characteristic of this part of the Wexham Court estate and provide welcome visual relieve in what would otherwise be a fairly densely developed housing estate The development would therefore be harmful to the character and appearance of the street scene and that of the surrounding area contrary to Planning Policy Statements 1 and 3, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policies H13 and EN1 of The Adopted Local Plan for Slough 2004.