

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 9th January 2013

PART 1

FOR INFORMATION

Planning Appeal Decisions

Set out below are summaries of the appeal decisions received recently from the Planning Inspectorate on appeals against the Council's decisions. Copies of the full decision letters are available from the Members Support Section on request. These decisions are also monitored in the Quarterly Performance Report and Annual Review.

WARD(S)

ALL

Ref	Appeal	Decision
P/13086/004	65 Meadfield Road ERECTION OF TWO STOREY SIDE EXTENSION WITH GABLE END, PART TWO STOREY REAR EXTENSION WITH HIPPED AND PITCHED ROOF/PART SINGLE STOREY REAR EXTENSION WITH MONO-PITCHED ROOF; FRONT EXTENSION WITH MONO-PITCHED ROOF	Appeal Allowed subject to conditions 22nd October 2012
Enforcement	The Octagon, Brunel Way CHANGE OF USE OF LAND FROM BUSINESS USE TO USE AS A CAR PARK The appointed Inspector heard an appeal against the serving of a planning enforcement notice by the Council requiring the unauthorised use of the site as a car park to cease. The appellants sought planning permission under Ground A. The Appeal Inspector considered the main issue to be <i>"whether the continue use of the car park for a period of about 2 years would undermine the Councils policies to encourage a modal shift away from private car use towards more sustainable forms of transport"</i> . Having considered all relevant policy documents, the Inspector concluded that, <i>"There is thus no doubt in my mind that reading all these documents together, the Council have a strategy to use car parking provision to strike a balance between the need for restraint so as to discourage car use but at the same time to encourage the use of the town centre. Although the Council sought to downplay the significance of the 5000 cap, it seems obvious to me this was the figure for the maximum number of car park spaces that would enable that balance to be struck. Once the number of spaces rose above</i>	Appeal Allowed, notice quashed and planning permission granted with conditions. 13th November 2012

	<p><i>that figure, the policy of restraint would be undermined, but fall below it, and the vitality and viability of the town centre could be harmed. This figure, and indeed the entire strategy, was developed before the current recession, and assumed the growth of office development and shopping demand would continue. In other words 5000 spaces was the maximum when the town was booming”.</i></p> <p>In response to the Council’s suggestion that it has been consistent in its decision making on recent planning applications for town centre car parks, the Inspector commented: <i>“Although the Council have been consistent, where they have allowed car parks, their reasons for doing so would seem to be generally applicable to the appeal site. I do not think consistency or lack of it is decisive in this case. In my view the fact that there is currently an over provision of car parking spaces in the town centre suggest strongly to me the policy of using car parking restraint to effect choice of transport modes cannot be effective. If local residents can always find a space to park, then there is no lack of car parking to act as a restraint on choices. The Council would not appear to have any plans to further reduce the number of spaces. To do so would require a recalculation of the 5000 cap and this is not envisaged. Consequently, at the moment refusing this car park will have no immediate effect on sustainable transport choices or on the Council’s strategic desires to manipulate those choices through car park restraint”.....As long as the 5000 cap is not breached, then Slough will be in a good position after the recession to both provide for adequate car parking and encourage the choice of alternative modes of transport as required by its transport strategy. At present the recession and consequent lack of demand has somewhat sidelined the restraint policy – a fact the Council have recognised in the three permissions they have granted - and as long as the 5000 figure is not breached there will be no long term harm to the wider strategy, as noted by the Councillors in the Aspire 2 case.</i></p> <p>The Appeal Inspector granted a temporary planning permission until 19th October 2014 for a maximum of 124 parked cars.</p>	
Enforcement	<p>263 Uxbridge Road</p> <p>ERECTION OF A SINGLE STOREY CONSERVATORY EXTENSION.</p>	<p>Appeal dismissed, enforcement notice upheld.</p>
P/15009/004	<p>51 Buckland Avenue</p> <p>RETENTION OF FRONT EXTENSION WITH HIPPED AND PITCHED ROOF</p> <p>Planning permission was refused on the grounds that:</p>	<p>Appeal Allowed</p> <p>22nd November 2012</p>

	<p>The existing front extension by virtue of its scale, bulk and visual dominance represents an overly dominant feature which detracts from the character and appearance of the original house and that of the general street scene contrary to Core Policy 8 of Slough Local Development Framework, Adopted Core Strategy 2006 - 2026 (Development Plan Document - December 2008), Policies EN1, EN2 and H15 of the Adopted Local Plan for Slough, 2004; Council's Residential Extensions Guidelines, Supplementary Planning Document, 2010.</p> <p>The Inspector concluded that:</p> <p><i>"I observed porch projections of a similar size at various nearby properties, including Nos 56, 62 and 64. These other structures did not strike me as being excessively prominent and I take the same view with respect to the porch at the appeal property. I take this view particularly as the detailed design of the individual houses varies whilst their setback helps to ensure that individual features, such as the porches, are not unduly dominant. Neither does the width of the porch take up an excessive proportion of the frontage.</i></p> <p><i>This leads me to conclude that the development causes no significant harm to the character and appearance of the existing dwelling and the surrounding area. It follows that there is no conflict with Core Policy 8 of the adopted Slough Local Development Framework Core Strategy 2008, saved Policies EN1, EN2 and H15 of the adopted Local Plan for Slough 2004 and the Council's adopted guidelines for residential extensions, insofar as these seek to ensure that development, including extensions, contributes positively to the quality of the environment and is compatible with the original structure and its surroundings. Neither is the proposal contrary to the National Planning Policy Framework to the extent that great importance is attached to the design of the built environment."</i></p>	
P/01071/016	<p>85a Elliman Avenue</p> <p>EXTENSION AND CHANGE OF USE OF EXISTING DOMESTIC GARAGE (C3) TO HOT FOOD TAKEAWAY (A5)</p>	<p>Appeal Dismissed</p> <p>3rd December 2012</p>