

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 24th July 2014

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/10925/002	<p>32, Wexham Road, Slough, SL1 1UA</p> <p>RETENTION OF A CANVAS ADVERTISEMENT BANNER.</p> <p>A retrospective planning consent was sought for:</p> <p>To display a canvas advertisement banner</p> <p>Planning consent was refused on the following grounds:</p> <p>1- The proposed canvas advertisement banner by virtue of its size, siting and prominence at the junction of Wexham Road and Wellington Road (A4) would result in a cluttered image of the host dwelling with negative impact on the visual amenity of the area contrary to National Planning Policy Framework (NPPF), Core Policy 8 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document (DPD), December 2008.</p> <p>The Inspector allowed the appeal and concluded that the main issue was:</p> <p>Whether the banner results in a 'cluttered image' on the host building and within the area</p> <p>And the reasons for supporting the appeal are as follows:</p> <p>Reasons:</p> <p>1. The appeal inspector with regards to officer's reference to paragraph 67 of the National Planning Policy Framework (NPPF) which states " that only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment."</p> <p>Argues that whilst the officer report states:</p>	<p>Appeal Granted</p> <p>23rd May 2014</p>

	<p>“that the banner is not considered to have an appreciable impact on the host building or its surrounding area. Nevertheless the consent was refused on the basis that the display would result in a ‘cluttered image’ of [sic] (on) the building as well as the area.”</p> <p>2. Therefore the appeal inspector disagrees with the banner creating cluttered image of the building and states that “the banner itself is the only advertisement on the wall. It is also not seen in close or direct association with any other advertisements in the area.”</p> <p>Thus, the Council’s concern appears to relate to the content/design of the banner’s message.</p> <p>2. The appeal inspector acknowledges that the banner contains a rather lengthy message. However, this is set out in a way that does not result in the appearance of any obvious clutter when viewing it.</p> <p>The inspector further adds that given the temporary nature of this consent there is insufficient justification to refuse consent in this case given that the Council have concluded the banner itself does not have an appreciable impact on the building or its surroundings.</p> <p>3. The appeal inspector gives little weight to Core Policy 8 (Sustainability and the Environment) Local Development Framework and relates it to development rather than the display of advertisements.</p> <p>4. The appeal inspector has placed condition on the display of the banner for 3 years to ensure that the banner is genuinely a temporary feature.</p> <p>Conclusions:</p> <p>5. for the reasons given above the appeal officer concludes that the appeal should be allowed.</p>	
<p>P/00288/022</p>	<p>399, London Road, Slough, SL3 8PS</p> <p>APPLICATION FOR THE DISPLAY OF 4NO INTERNALLY ILLUMINATED FASCIA SIGNS AND 2NO REPLACEMENT PANELS NON ILLUMINATED SIGNS, 1 NO TOTEM SIGN INTERNALLY ILLUMINATED, 1NO POST MOUNTED SIGN INTERNALLY ILLUMINATED AND 1 NO POST MOUNTED SIGN EXTERNALLY ILLUMINATED.</p> <p>Advertisement consent was sort for the display of 4 fascia signs 2 replacement panels, 1 totem and 2 post mounted signs and advertisement consent was refused for 3 signs that were free standing and on the boundary to the A4 for the following reason: By virtue of their siting and appearance and overbearing appearance would detract from the character and appearance of</p>	<p>Appeal Partly Granted</p> <p>5th June 2014</p> <p>Appeal upheld in part and refused in part</p>

	<p>area with the site occupying a prominent location on the A4 contrary to National Planning Policy Framework (paragraph 67) and Policy EN11 of the of the Adopted Local plan for Slough 2004</p> <p>The Inspector concluded that:</p> <p>Sign D would be positioned immediately adjacent to another similar relatively large sized advertisement and, in view of the illuminated style proposed and very close proximity of this similar sign, would result in a cluttered appearance which would draw the eye in views from the road. As such, although replacing a slightly larger sign and taking into account the cleaner overall appearance of the new scheme proposed, sign D would nonetheless be to the detriment of the character of the area.</p> <p>Although Sign A would be of a significant size and level of illumination, it would not be seen immediately alongside other signage, would feature relatively restrained colours and would be of a simple design. Given that it would be seen in the context of the public house car park and hotel grounds and adjacent to a wide and busy road, it would not appear out of keeping with the immediate area. Sign Fi also would not be seen immediately alongside other advertisements and would be of a reasonably small scale, again featuring restrained colours and a clean design. Only the lettering of this sign would be illuminated, limiting further the visual impact of the sign.</p> <p>As such, due to their proposed positions, relatively restrained design and set back from the road, signs A and Fi would not appear as advertisement clutter and, even taking into account that the Council has identified the approach to the appeal site as an important entrance into Slough, signs A and Fi would not be materially detrimental to the interests of amenity.</p>	
P/12138/002	<p>107, Hurworth Avenue, Slough, SL3 7FG</p> <p>ERECTION OF A DETACHED DOUBLE GARAGE WITH BIN AND CYCLE STORE, IN THE FRONT GARDEN.</p>	<p>Appeal Dismissed</p> <p>11th June 2014</p>
P/15472/000	<p>Land ADJ to No 5, Pickwick Terrace, Maple Crescent, Slough, SL2 5LW</p> <p>CONSTRUCTION OF 1 NO. TWO BEDROOM DWELLING WITH A GABLE ROOF AT LAND ADJACENT TO NO. 5 PICKWICK TERRACE</p>	<p>Appeal Dismissed</p> <p>25th June 2014</p>
P/07591/003	<p>28, Seacourt Road, Slough, SL3 8EW</p> <p>RETROSPECTIVE PLANNING APPLICATION FOR RETENTION OF CONVERSION OF PART GARAGE/STORAGE AREA INTO A HABITABLE ROOM.</p> <p>Condition 2: 1. The Condition in dispute is No.2 which states that: Within one calendar month from the date of this planning</p>	<p>Appeal Granted</p> <p>26th June 2014</p>

permission details of parking to utilise the existing vehicle crossover together with details of a front boundary wall or landscaping not exceeding 600mm in height above the neighbouring carriageway shall be submitted to and approved in writing by the Local Planning Authority. The details of scheme as approved shall be implemented within a further 2 calendar months from the date of the Local Planning Authority's approval and shall be so maintained at all times

REASON: To prevent vehicles accessing illegally from the highway and minimise danger, obstruction and inconvenience to users of the adjoining highway and to protect the amenities of the area in accordance with Core Policies 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 Slough 2004.

The Background and Main Issues

2. Planning permission for the retention of conversion of part garage/storage area into a habitable room included a condition requiring the implementation of front boundary treatment in order to prevent cars from driving on to the parking area in front of the house up the kerb. The appellant objects to the condition as they consider that the surrounding nature of the street shows similar garage conversions with clear access to driveways without boundary walls.

3. Taking the above background into account the main issue is whether the condition is reasonable and necessary in the interests of highway safety.

Reasons

3. The Inspector considered that the appeal property is a semi-detached dwelling located on the south side of Seacourt Road in a residential area of predominantly similar properties. The front gardens of the houses are wide and open, with houses set back from the road. Seacourt Road is wide, as is the majority of the footpath, except where trees are planted on the footpath close to the kerb. The trees along the road play an important role in the character and appearance of the area. There are no parking restrictions on the road.

5. On my site visit, I noted that there are a few examples of fully paved front gardens within the wider area. However, the majority of driveways on Seacourt Road are shared between neighbouring properties with access via a shared drop kerb. Although there is some hardstanding or pavement in front of the houses, generally front gardens were also partially planted or grassed. Gardens are also separated from the footpath by planted or grassed areas.

6. The front garden of the appeal property is given over to paving and hardstanding, there is a shared dropped kerb with No 30 Seacourt Road. On the boundary with No 26 is planting with shrubs which small to medium in size. At the time of my visit, two cars were parked on the parking area of No 28, with one car parked facing directly towards the house between a streetlight and adjacent to a tree on the footpath. The tree is

	<p>medium in height with a broad trunk. It is on the footpath near to the roadside in between the boundary of No 28 and No 26.</p> <p>7. The trunk of the tree obstructs half of the footpath and pedestrians would need to step closer to the boundary of No 28 near to the hardstanding in order to avoid the trunk. Visibility from outside the appeal property along the road and footway from both east and west is generally good. However, due to the location of the tree and the presence of planting on the boundary with No 26, these restrict visibility somewhat. Therefore, there would be considerable risk to pedestrian safety and other road users approaching from the west, if a car were to reverse directly on to the road via the full height kerb.</p> <p>8. The street lighting column is located halfway across the width of the front boundary of No 28, towards the footpath and front boundary. Because of the proximity of the tree and lighting column to each other, if the parking area is accessed by car from the road directly over the full height kerb, there is also a risk of damage occurring to both these and also to the cars.</p> <p>9. The appellant refers to similar garage conversions without boundary treatments and clear driveway access, however no examples have been provided and therefore I am unable to assess whether these would be directly comparable with the proposal before me. In any event, I have determined the appeal on its own merits.</p> <p>10. Accordingly, I conclude that condition 2 is reasonable and necessary in the interests of highway safety and to comply with Policy 7 of the Slough Core Strategy 2008 and Policy T2 of the Local Plan for Slough 2004, which amongst other things seek to require development to overcome road safety problems.</p> <p>11. However, I propose to vary the condition to require that relevant details be submitted, for the Council's written approval, within one month of the date of this decision. As a result, the appeal is allowed but only in so far as altering the wording in relation to the timing of submission of details. My decision modifies the original permission and should be read in conjunction with it.</p> <p>Planning Officer's comment to the Planning Committee on the Inspector's varying the Condition is that the condition is still imposed but only affects the timing for 1 month. Therefore, from the Council's point of view, the result of the Appeal is a win, win for the Council because the appellant will still have to submit the details for approval and will have to be implemented as approved.</p>	
<p>P/15225/001</p>	<p>Land Adj To No. 6 No. 7 Copperfield Terrace, Mirador Crescent, Slough, SL2 5JY</p> <p>ERECTION OF 2 STOREY DWELLING WITH PITCHED ROOF BETWEEN AND ATTACHED TO EXISTING PROPERTIES.</p>	<p>Appeal Dismissed</p> <p>1st July 2014</p>