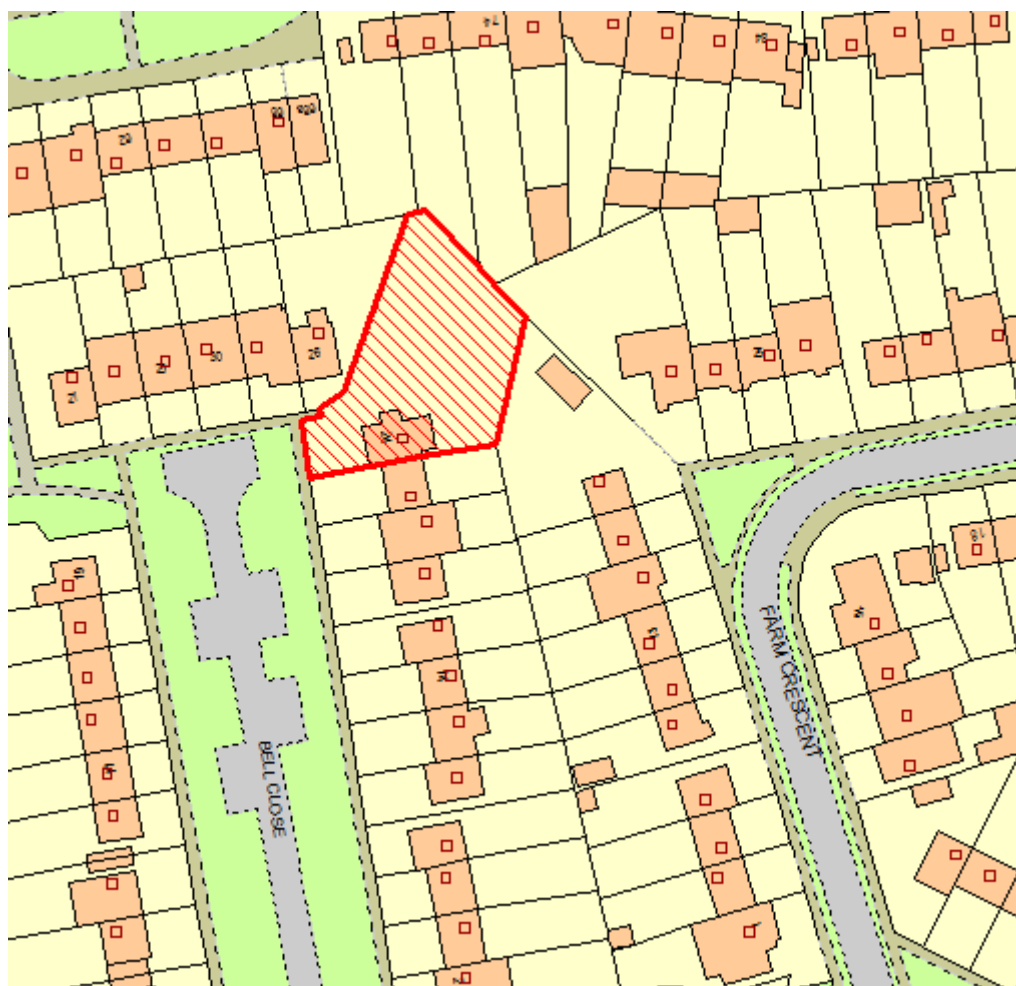


Registration Date:	04-May-2017	Application No:	P/10726/012
Officer:	Christian Morrone	Ward:	Wexham Lea
Applicant:	Mr. Amrik Singh	Application Type:	Major
		13 Week Date:	
Agent:	Mr. Ameet Bhamra, AB Structural Designs Ltd 59, Mirador Crescent, Slough, SL2 5JZ		
Location:	24, Bell Close, Slough, SL2 5UQ		
Proposal:	Construction of 2no. 3 bed semi detached dwellings with vehicular access and parking.		

**Recommendation:** Planning permission is refused



**P/10726/0012**

**1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Under the current constitution this application is being brought to Committee for decision as it has been called in by a Ward Member.
- 1.2 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended that the application be refused planning permission.
- 1.3 The proposal is recommended for refusal on the following grounds:-
- The proposal would, by its virtue of the width of the houses at first floor level, siting in relation to Bell Close, amount of hard surfacing needed to provide off-street car parking, and proximity of the proposed buildings to the side boundary lines, would result in the erosion of a visual gap to a degree that would have an unacceptable impact on the character and appearance of the area.
  - The proposal would have a harmful impact on the living conditions of the neighbouring occupiers from vehicular movements at no.24 Bell Close.

**PART A: BACKGROUND**

**2.0 Proposal**

- 2.1 This is a full planning application for the construction of one pair of two-storey, semi-detached dwellings. Each house would have 3 bedrooms.
- 2.2 The pair of semi detached dwellings would measure approximately 12 metres wide (ground floor), 10 metres wide (first floor), 10 metres deep; 5 metres to the top of the eaves, and 8 metres to the top of the hipped roof.
- 2.3 4no. parking spaces (2 per dwelling) are proposed within the front end of the site, with vehicular access being gained from the existing vehicular access from Bell Close. Plans have been amended during the course of the determination by omitting the front porches and revising the hard standing and car parking layout to the front.

**3.0 Application Site**

- 3.1 The application site is a plot of land within the northeast corner of Bell Close between numbers 24 and 26 Bell Close. The site is currently surrounded by hoarding and has been cleared; it should be noted that there is an extant planning approval for a single dwelling on this site. 24 Bell Close is at the end of the cul-de-sac. The land within the application site was previously used part of the garden for no. 24 Bell Close.

- 3.2 The surrounding area comprises terraced houses, with a regular pattern of development, formed by terraces of fairly uniform housing along the northern eastern and western sides of the access road. The access road is surrounded on both sides by relatively deep grass verges and a number of parking courts; so not all the properties along the road have parking spaces in the front gardens, although an access to Bell Close exists at the end of the cul-de-sac which leads to parking spaces for 24 and 26 Bell Close.

4.0 **Site History**

4.1 P/10726/010

Application for removal of planning condition 17 (permitted development) of planning permission reference P/10726/006 dated 27th November 2014.  
Refused 18-Dec-2015 – Appeal Allowed 5 July 2016.

4.2 P/10726/009

Erection of a pair of two storey, two bedroom semi detached dwellings with associated parking and landscaping.

Refused 15-Jul-2015. Reasons for Refusal summarised as follows:-

1. The development will result in the loss of an important visual gap which together with excessive hard surfacing to the front of the development as proposed and with little or no setting or opportunity for soft landscaping to be introduced would detract from the character and appearance of the general street scene.
2. The proposed development would result in loss of amenity to neighbouring properties via loss of privacy and increased noise and disturbance from vehicles using the parking area at the front of the proposed property.
3. The restricted size of the living area of the proposed properties would result in an inappropriate, small and cramped form of development.

Not appealed.

- 4.3 P/10726/008 Erection of a pair of two storey, three bedroom semi detached dwellings with associated parking and landscaping.  
Withdrawn by Applicant 18-Mar-2015

- 4.4 Y/10726/007 The erection of a single storey rear extension to the rear of 24 Bell Close, which would extend beyond the rear wall of the original house by 4.5m, with a maximum height of 3.65m, and eaves height of 2.2m.  
Prior Approval Not Required; 04-Dec-2014

- 4.5 P/10726/006 Erection of a two storey detached three bedroom house together with parking and landscaping.  
Approved 27-Nov-2014

- 4.6 P/10726/005 Erection of a two storey detached three bedroom house together with parking and landscaping.  
Approved with Conditions 28-Apr-2011
- 4.7 P/10726/004 Erection of a pair of two storey three bedroom houses together with parking and landscaping.  
Refused 02-Dec-2009 – Appeal Dismissed 24 August 2010
- 4.8 P/10726/003 Erection of a pair of semi detached two storey three bedroom houses with associated access and parking.  
Refused 05-Nov-2008
- 4.9 P/10726/002 Erection of a pair of semi detached houses with associated access and parking.  
Refused 21-Oct-2003
- 4.10 P/10726/001 Erection of a pair of semi-detached three bedroom houses and the formation of access off Bell Close.  
Refused 10-Dec-2002
- 4.11 P/10726/000 Erection of 4no. 3-bedroom houses and access road.  
Withdrawn (Treated As); 27-Sep-1999

## 5.0 **Neighbour Notification**

- 5.1 6, Bell Close, Slough, SL2 5UQ, 14, Bell Close, Slough, SL2 5UQ, 21, Farm Crescent, Slough, SL2 5TQ, 12, Bell Close, Slough, SL2 5UQ, 1, Bell Close, Slough, SL2 5UQ, 28, Bell Close, Slough, SL2 5UQ, 74, Norway Drive, Slough, SL2 5QW, 25, Bell Close, Slough, SL2 5UQ, 19, Farm Crescent, Slough, SL2 5TQ, 21, Bell Close, Slough, SL2 5UQ, 19, Bell Close, Slough, SL2 5UQ, 68, Norway Drive, Slough, SL2 5QW, 70, Norway Drive, Slough, SL2 5QW, 17, Bell Close, Slough, SL2 5UQ, 13, Bell Close, Slough, SL2 5UQ, 15, Bell Close, Slough, SL2 5UQ, 17, Farm Crescent, Slough, SL2 5TQ, 22, Bell Close, Slough, SL2 5UQ, 30, Bell Close, Slough, SL2 5UQ, 7, Bell Close, Slough, SL2 5UQ, 72, Norway Drive, Slough, SL2 5QW, 76, Norway Drive, Slough, SL2 5QW, 11, Bell Close, Slough, SL2 5UQ, 26, Bell Close, Slough, SL2 5UQ, 20, Bell Close, Slough, SL2 5UQ, 9, Bell Close, Slough, SL2 5UQ, 23, Bell Close, Slough, SL2 5UQ, 5, Bell Close, Slough, SL2 5UQ, 16, Bell Close, Slough, SL2 5UQ, 3, Bell Close, Slough, SL2 5UQ, 44, Norway Drive, Slough, Berkshire, SL2 5QW, 29, Bradwell Road, Bradville, Milton Keynes, MK13 7AX

The above neighbours were sent notifications letters 01/08/2017 and the consultation period ended on 22/08/2017. Since the close of the consultation period the developer has submitted revised plans which omit the front porch and make minor changes to the parking layout. As these changes were minor and would have no further material impact over and above the plans previously consulted on, no further neighbour consultation is necessary.

A petition objecting to the proposal with 31 names recorded has been received.

8no. letters of representation and have been received from occupiers of the neighbouring properties objecting to the proposal with material comments relating to the following:

#### Principle of Development

- Building in gardens should not be allowed.
- Buildings are too large.
- Detrimental to the atmosphere of the environment.
- Would create an overcrowded environment.
- Would dominate and overbear the main building and the surrounding area.
- Loss of trees.
- Rooms will be let out and would not be family housing.

#### Impact on adjoining neighbours

- Overlooking into 72 Norway Drive.
- Noise and disturbance within the lounge of 26 Bell Close from increased traffic movements.
- Loss of outlook from 26 Bell Close resulting from proposed 1.6 metre fence to the front.
- Imposing on the aspect of 72 Norway Drive and other neighbours.
- Noise during construction.

#### Highways issues

- Access road too tight to manoeuvre.
- 24 Bell Close is now using the grass verge to access their drive
- One space in front of the other is not two parking spaces and therefore only two spaces are proposed.
- Bell Close is used as a turnaround for emergency services and the proposal would be detrimental to this.

- Increase in traffic and parking on the street leading to:
  - a) safety issues (particularly with children playing and pets)
  - b) reduced availability for parking
  - c) Increase parking on grassed verges leading their damage
  - d) Increase in noise and pollution
  - e) restricting access for emergency and servicing vehicles.

[Case Officer Response: the above issues are taken into consideration further in the main body of the report].

## 6.0 **Consultations**

### 6.1 **Local Highway Authority:**

The Local Highway Authority was consulted on the previous application for 2no. dwellings where no objections were raised subject to the provision of a single width cross-over.

### 6.2 **Thames Water:**

No comments received.

### 6.3 **Contaminated Land Officer:**

There is no historical contaminative land use associated with the site, and the proposed development is located more than 150m of any off-site sources of contamination. Thus, I have no objections to the proposed development.

### 6.4 **Wexham Court Parish Council:**

Objection based on the following:

- Inadequate parking provision.
- Likely to lead increase in traffic on this cul-de-sac.
- Health and Safety concerns.
- No access for emergency vehicles like Ambulances and Fire Brigade.
- Spoiling of the area.

## **PART B: PLANNING APPRAISAL**

### 7.0 **Policy Background**

#### 7.1 National Planning Policy Framework 2012 and Planning Practice Guidance:

Core Policies - Achieving sustainable development

Chapter 4: Promoting sustainable transport

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring good design

Slough Local Development Framework Core Strategy 2006-2026

Development Plan Document Adopted 2008 policies:

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 3 – (Housing Distribution)

- Core Policy 4 – (Type of Housing)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 12 – Community Safety

Local Plan for Slough March 2004 policies:

- H13 – Backland/Infill Development
- H14 - Amenity Space
- EN1 – Standard of Design
- EN3 – Landscaping
- EN5 – Design and Crime Prevention
- T2 - Parking

Composite Local Plan – Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan or Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

7.2 The planning considerations for this proposal are:

- Planning history and previous determinations.
- Principle of development.
- Impact on visual amenity.
- Impact on residential amenity.
- Living Conditions and Amenity Space for residents.

- Impact on Trees.
- Highways and parking.
- Neighbour representations .

## 8.0 **Planning history and previous determinations**

8.1 The planning history, which includes comments made by Inspectors at appeal, is a material consideration.

8.2 A planning application (ref. P/10726/004) for the erection of a pair of semi-detached two storey 3 bedroom houses together with parking and landscaping was refused by the local planning authority for issues relating to the impact on the character and appearance of the surrounding area and neighbouring amenity.

This refusal was appealed, and subsequently dismissed. The Inspector concluded as follows:

### Character & Appearance:

- Whilst the front elevation would be seen between Nos. 24 and 26 and would diminish the openness in this part of the street, the set back would still enable a gap in the frontage to be maintained.
- However much of the space in front of the dwellings would be taken up with parking spaces and a turning area. There would also be the 'shoehorning' of a parking space into the front garden of No.24 which would leave little residual garden. The parking of cars in these positions would diminish the gap.
- I find that the introduction of the two houses proposed, with all the associated parking and turning space at the front, would cause material harm to the character and appearance of the area marring the residential environment found in Bell Close.

### Neighbouring Amenity:

- The front elevation of one of the proposed houses (24A) would be only about 11m from the rear bedroom window of No.24. Whilst this is an angled view I consider that the intervisibility between windows in the respective houses would give rise to an unacceptable level of overlooking.
- Additionally, I consider that the remaining garden of No.24 would have a poor standard of privacy being overlooked from the first floor window of the proposed house.
- The proximity of the proposed development would also have an overbearing effect on the garden and the rear of No.24. I am satisfied that the light received within No.24 would remain at an acceptable level.



- I also have concerns that the considerable increase in the number of cars passing along the access drive and manoeuvring close to the front windows of No.26 on a daily basis would lead to a significant increase in disturbance within the front rooms of this property
- Based on these findings, I consider that the development would cause material harm to the living conditions of the occupiers of Nos. 24 and 26 Bell Close in terms of loss of outlook, overlooking and disturbance.

#### Access and Parking:

- There are objections on the basis of the possible blocking of the driveway or other vehicles at the end of the cul-de-sac but again the highway department find the car parking and turning layout to be acceptable subject to the widening of the access by 1m. For these reasons I am satisfied that the proposal would be acceptable in these respects subject to the imposition of conditions.

8.3 Following the dismissal of the appeal, a planning application for the erection of a detached three bedroom house, (ref. P/10726/006) was submitted to and approved by the Local Planning Authority in 2014. Although the approved scheme has not been fully built out, it has been implemented, is extant and therefore the development as approved under P/10726/006 can be completed at any time.

The case officer at the time concluded that the proposal was acceptable because:-

- The proposal was for a single detached house, with reduced frontage parking and hard surfacing.
- The proposed house maintained a set off from both boundaries of 4 metres which helped to retain the openness of the site and retain views to the rear.
- The property sat further forward within the site and had a better relationship with the existing neighbouring houses.
- The windows within the ground and first floors of the eastern elevation facing towards 24 Bell Close would serve non habitable rooms, without the need for specific aspect.
- The property had sufficient amenity space, although it was acknowledged that much of the amenity space would be in shade.

8.4 A further planning application (ref. P/10726/009) was then submitted for the erection of a pair of two storey, two bedroom semi detached dwellings with associated parking and landscaping was refused by the Local Planning Authority in 2015 for the following reasons:

1. The development will result in the loss of an important visual gap which together with excessive hard surfacing to the front of the development as proposed and with little or no setting or opportunity for soft landscaping to be introduced would detract from the character and appearance of the general street scene.
2. The proposed development would result in loss of amenity to neighbouring properties via loss of privacy and increased noise and disturbance from vehicles using the parking area at the front of the proposed property.
3. The restricted size of the living area of the proposed properties would result in an inappropriate, small and cramped form of development.

No appeal was submitted in respect of this planning application.

8.5 A planning application for removal of planning condition 17 of planning permission reference P/10726/006 was refused 18-Dec-2015 (Planning Ref: P/10726/010). Condition 17 removed permitted development under Class A to safeguard the openness of the site and views through to the rear.

A subsequent appeal was allowed on 5 July 2016.

The Inspector considered that the removal of condition 17 was acceptable as side extensions under Class A were limited to single storey and no wider than the width of the original house. As the house was set back significantly from the fronts of the houses to both its sides, this would diminish any enclosing effect on the space between the terraces. Views to the trees behind would be retained.

Condition 14 required that the dwelling should be sited such that a minimum gap of 4 metres is maintained between the extremities of the proposed building and any adjoining boundary.

8.6 The planning history therefore establishes the following principles on the site:-

- One house on the site is acceptable.
- The single dwellinghouse approved on site could be extended under permitted development rights subject to the limitation set by condition 14 of the appeal decision dated 5 July 2016.
- The amount of hard surfacing/car parking needed for two houses would contribute to diminishing the gap between properties.

- The windows within the ground and first floors of the eastern elevation facing towards 24 Bell Close should serve non habitable rooms to prevent overlooking and loss of privacy.
- The considerable increase in the number of cars passing along the access drive and manoeuvring close to the front windows of No.26 on a daily basis from two houses would lead to a significant increase in disturbance within the front rooms of this property.
- No objections on highway grounds.

8.7 The development being applied for within this application is similar to planning application ref. P/10726/009, however contains the following changes:

- Depth on building increased and bringing the building closer to the front of the site (towards Bell Close).
- Omission of front porches.
- Reduction in hardstanding to the front.
- Inclusion of areas for landscaping.
- Increased width at ground floor.
- Permitted development fall back position.

8.8 As described in point 8.5, a condition which restricted permitted development rights for extensions to the single dwelling previously approved under reference P/10726/006 was removed at appeal, subject to the limitation set out in condition 14. Therefore the extant planning permission for the single house benefits from full permitted development rights.

## 8.0 **Principle of development**

8.1 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high quality homes which should be considered in the context of the presumption in favour of sustainable development.

8.2 Core Policy 4 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document requires development in urban areas outside the Town Centre to be of predominately family housing at a density related to the character of the area. Within suburban residential areas, Core Policy 4 seeks limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area.

8.3 This site is located in a suburban area and the proposed dwellings would be family houses as defined by the Core Strategy and therefore the principle of the new housing on this site is acceptable.

- 8.4 Furthermore, a previous planning application for the erection of a detached three bedroom house (ref. P/10726/006) was approved by the Local Planning Authority in 2014. Although the approved scheme has not been fully built out, it has been implemented in accordance with paragraph (4) of Section 56 of the Town and Country Planning Act 1990. As such, the development as approved under P/10726/006 is extant and can be completed at any time, and the principle of new housing on this site has already been accepted.

## 10.0 Impact on Visual Amenity

- 10.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and EN2.
- 10.2 In considering the visual impacts of the proposed development, due consideration should also be given to the relevant planning history as listed above.
- 10.3 With regard to the planning history, the main visual amenity issues concern the degree of loss in the visual gap and the degree of hard standing to the front of the building. The degree in loss of the visual gap is related to the width of the building and the distance of the building is set back from the front of the site. The table below summarises these dimension in relation to the relevant planning history. The distance from the front of the site is measured from the building line between the southeast corner the house at no. 26 Bell Close and the northwest corner of the house at 24 Bell Close.

<b>Application</b>	<b>Ground Floor width</b>	<b>First Floor width</b>	<b>Distance from front</b>
Current application (P/10726/0012)	12m	10m	10.7m
Permitted development fall-back with P/10726/010	11.7m	8.7m	10.7m
Refused planning application (ref. P/10726/009: semi detached)	10m	10m	12.10
Approved and extant planning permission (ref. P/10726/006 single dwelling)	8.7m	8.7m	10.7
Dismissed appeal ref. APP/J0350/A/10/2123199 (P/10726/004: semi detached)	15m	15m	14.8

- 10.4 When compared to the extant permission for a single house (ref. P/10726/006), the building as proposed would be set back within the site by a similar distance. The width of the building would however be increased by 1.3 metres at first floor. It should be noted that the Appeal decision (ref. P/10726/010) the Inspector found that, although permitted development rights for enlargements should be re-instated for the detached house, these would preserve views from the street through the site to mature trees behind it, which reinforce the spacious character of the area. Planning Officer consider the proposed first floor width increase of 1.3 metres would further restrict the views of the trees, reduce the visual gap and thereby further erode spacious character of the area
- 10.5 With regard to the ground floor, it should be noted that the Appeal decision (ref. P/10726/010) that reinstated permitted development rights also included a condition that buildings on site (including potential ground floor side extensions) should be sited 4m from the side boundaries. This application proposes a footprint that would be positioned approximately 2.2m at ground floor and 3.2m at first floor from the side with no.26 Bell Close, and 3.9m at ground floor with no. 24 Bell Close. Therefore, as this application breaches what the extant permission can achieve through permitted development, the extant permission can not be considered a 'fall-back' position in relation to the width at ground floor. Furthermore, the proposal would also be at ground floor compared to the extant permission even with the permitted development extensions being included.
- 10.6 Within the refused pair of semi detached dwellings (ref. P/10726/009), the building was proposed to be set approximately 3.9 metres further back into the site and be the same width at 10 metres wide, and therefore this scheme as proposed would have an increased impact on the visual gap, due to the angled nature of the site. The loss of a visual gap was not a standalone reason for refusal, but was deemed harmful in conjunction with the ratio of hardstanding and car parking at the front of the site. This view was drawn from the Inspector's decision for the pair of semi detached houses dismissed at appeal (ref. P/10726/004).
- 10.7 This application has been revised to in an attempt to address the hardstanding and landscaping issues, however these changes are little different to the refused P/10726/009 scheme. Furthermore, as the previous application was for buildings set approximately 3.9 metres further back into the site, the overall resulting visual impacts from this application would be worse than refused P/10726/009 scheme.
- 10.8 Compared to the pair of semi detached houses dismissed at appeal (ref. P/10726/004), the proposed building would have a reduced width at first floor of 5 metres, but its positioning would be 3.9 metres closer to the front of the site. In relation to the dismissed appeal, the inspector found that 'the building being set back within the site would enable a gap in the frontage to be

maintained. However, much of the space in front of the dwellings would be taken up with parking spaces and a turning area that would diminish the gap.' Although the proposed width at first floor would be less, the building would be set closer to the front of the site, closer to the site boundaries particularly on the site adjoining no. 26, and the area fronting the building would still be dominated by hardsurfacing to provide parking spaces and a turning areas. This is considered to diminish the gap to a worse degree than the previously refused application for pair of semi detached houses dismissed at appeal (ref. P/10726/004). While the extant single dwelling (ref. P/10726/006) was also positioned further forward, there are larger distances to the site boundaries, and less hardsurfacing and car parking. In comparison, this application for a pair of semi-detached dwellings proposes a wider building that would further restrict the views of the trees behind and erode the visual gap, and would also include an increase in hardsurfacing and parking. The proposal would therefore have an increased impact on spacious character of the area over and above the extant single dwelling.

- 10.9 The remaining elements of the proposal would not result in visual amenity impacts anymore significantly harmful than the previously approved and extant single house (ref. P/10726/006), which can be built out at anytime.
- 10.10 Based on the above, the proposed development will result in the loss of an important visual gap which together with excessive hard surfacing to the front of the development as proposed and with little or no setting or opportunity for soft landscaping to be introduced would detract from the character and appearance of the general street scene. The proposal therefore fails to comply with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1, EN2 and EN3 of the Adopted Local Plan and the requirements of the NPPF 2012.
- 11.0 **Impact to neighbouring residential properties**
- 11.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and EN2.
- 11.3 In considering the visual impacts of the proposed development, due consideration should also be given to the relevant planning history as listed above.
- 11.4 The main residential amenity issues in the planning history concern the overlooking from the front widows into no. 24 Bell Close and disturbance at no.26 Bell Close from increased vehicle movements.

- 11.5 Within the dismissed appeal for the refused P/10726/004 scheme, the Inspector upheld the Local Planning Authority's reason for refusal regarding loss of privacy at no. 24 Bell Close. The extant scheme for single dwelling (ref. P/10726/006) overcame these issues by including a bathroom area to the front southeast side of the first floor that would be served by an obscurely glazed non-opening window. This was then secured by condition.
- 11.6 This application has reverted back to a layout with a bedroom window in the front southeast end of the first floor. The building as proposed is set closer to the front of the site compared to the dismissed appeal scheme (ref. P/10726/004). The separation distance between the proposed front facing first floor window and the existing first floor rear bedroom window at no. 24 Bell Close would be approximately 8.15 metres, which is significantly less than the 11 metres separation distance within the dismissed appeal scheme (ref. P/10726/004). Due to the width of the proposed first floor being narrower and the building being set further forward than the dismissed appeal scheme, the window to window relationships in the proposal and dismissed appeal are different. The resulting views would be more oblique and would provide more restricted views into the rear window of no. 24 Bell Close to a degree that would not result in an acceptable loss of privacy, and therefore no objections are raised over this issue.
- 11.7 Since the determination of the dismissed appeal scheme (ref. P/10726/004) and the refused P/10726/009 scheme, a single storey rear extension has been completed under permitted development at no.24 bell close (ref. Y/01726/007). This has been shown on the submitted plans. The implementation of the single storey extension to the rear of the no.24 Bell Close negates the loss of privacy with the rear garden previously raised in the appeal scheme.
- 11.6 With the dismissed appeal for the refused pair of semi detached houses (ref. P/10726/004), the Inspector upheld the Local Planning Authority's reason for refusal regarding disturbance at no.26 Bell Close from increased vehicle movements. This also formed a reason for refusal on the previous scheme for a pair of semi detached houses on this site (ref. P/10726/009).
- 11.8 This application includes one less parking space compared to the dismissed appeal scheme (ref. P/10726/004) and the same number as the refused pair of semi detached houses (ref. P/10726/009). The number of movements would not be significantly less than previous refused scheme subject of the appeal. When considering the position of the access drive is set away from the centre of the ground floor window in the front elevation of no. 26 Bell Close by approximately 4.5 metres the resulting number of traffic movements on a daily basis would still lead to a significant increase in disturbance within the front rooms of this property. The proposal is therefore considered to be detrimental to the amenities of no. 26 Bell Close and is recommended for refused on this basis.

- 11.9 The remaining elements of the proposal would not result in residential amenity impacts anymore significantly harmful than the previously approved and extant single house (ref. P/10726/006), which can be built out at anytime.
- 11.10 Based on the above, the proposal would unacceptable levels of disturbance within the front rooms at no. 26 Bell Close and thereby fail to comply with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan.
- 12.0 **Living Conditions and Amenity Space for residents**
- 12.1 The NPPF which states that planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings
- 12.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."
- 12.3 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space. This policy is further backed up with the Councils Guidelines for the Provision of Amenity Space around Residential Dwellings.
- 12.4 The proposed dwellings would have acceptably sized internal spaces that would comply with the Council's guidelines, and would be served by windows that provide a suitable degree of daylight, aspect, and outlook. Furthermore, the dwellings would be served by gardens of a size that would comply with Council guidelines, but it is acknowledged that the gardens would likely be in shade due to the proximity of mature trees at the rear of the site.
- 12.5 The existing first floor neighbouring windows would provide oblique views into the rear end of the proposed gardens. These views would not result in significant additional overlooking as they would be restricted to the rear end of the gardens only that would be mutually overlooked by the proposed house and would not directly overlook more private areas.
- 12.6 Based on the above, the living conditions and amenity space for future occupiers is considered to be in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan



13.0 **Highways and Parking**

13.1 The National Planning Policy Framework states that planning should seek to development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 32 of the National Planning Policy Framework states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

13.2 **Paragraph 32 of the NPPF** states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

13.3 **Core Policy 7** requires that development proposals will have to make appropriate provisions for reducing the need to travel, widening travel choices and making travel by sustainable means of transport more attractive than the private car, improving road safety, improving air quality and reducing the impact of travel upon the environment.

13.4 The proposal includes 2no. off street parking spaces for each dwelling which is policy compliant for 3 bed dwellings. It is unlikely vehicles will be able to turn easily within the site, however, vehicles reversing into/out of the site currently takes place, and it is considered an additional 2no. cars doing so would not lead to 'severe harm' in this cul-de-sac. Furthermore, the appeal Inspector previously raised no highway issues.

13.4 Should the application be approved, it is recommended permitted development rights be taken away for roof enlargements, thereby preventing additional bedrooms likely leading to further on-street parking.

14.0 **Neighbour Representations**

14.1 Officers have carefully read the third party representations put forward by the residents of the neighbouring properties. The material planning considerations raised have been addressed within the relevant sections of this report within the Officer's assessment. The following comments relating to the processing of the application are addressed below:

- Rooms will be let out and would not be family housing

Rooms can be let out for up to six people without the need for planning permission.

16.0 **PART C: RECOMMENDATION**

16.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended that the application be refused planning permission.

16.2 This is on the following grounds: that the proposal would have a harmful impact on the living conditions of the neighbouring occupiers from vehicular movements at no.24 Bell Close. The proposal would also, by virtue of its width at first floor level result in the loss of a visual gap to a degree that would have an unacceptable impact on the character and appearance of the area.

**PART D: REASON FOR REFUSAL**

- 17.0
1. By virtue of the ground and first floor width of the houses, siting in relation to the site boundaries in particular adjoining 26 Bell Close and forward positioning in the site, and extent of hardsurfacing to provide parking areas to the front, the proposed development will result in the loss of an important visual gap and of views through to the mature trees at the rear of the site. The loss of the open gap together with hard surfacing of nearly the whole area in front of the proposed houses, with little or no opportunity for soft landscaping to be introduced would detract from the character and appearance of the general street scene. The proposal therefore fails to comply with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1, EN2 and EN3 of the Adopted Local Plan and the requirements of the NPPF 2012.
  2. By virtue of the number of vehicular movements within close proximity of the front windows serving no. 26 Bell Close, the proposal would result in unacceptable disturbance within the front rooms at no. 26 Bell Close and thereby fail to comply with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan.