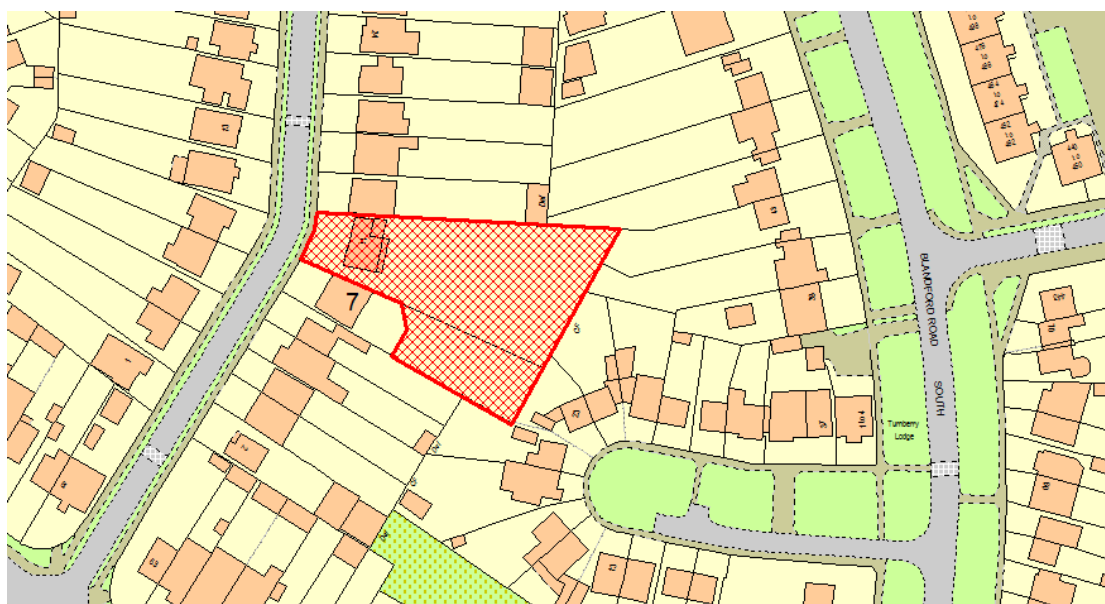


Registration Date:	26 th September 2019	Application No:	P/12604/002
Officer:	Caroline Longman	Ward:	Upton
Applicant:	Matt Taylor	Application Type:	Minor
		8 Week Date:	21 st November 2019
Agent:	None		
Location:	12-14 Lynwood Avenue, Slough, SL3 7BH		
Proposal:	Demolition of existing dwelling and construction of 4no. three bedroom dwellings and 2no. four bedroom dwellings with associated access, parking and amenity space		

Recommendation: Refusal



P/12604/002– 12-14 Lynwood Avenue, Slough, SL3 7BH

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 set out below, the representations received from all consultees and neighbouring residents, as well as all other relevant material considerations, it is recommended that the application be refused.

PART A: BACKGROUND

2.0 Proposal

- 2.1 Planning permission is sought for the demolition of number 14 Lynwood Avenue and the erection six residential dwellings with associated access, parking and amenity space.
- 2.2 The proposal includes four x three bedroom properties and two x four bedroom properties on the site. Plot 1 replaces number 14 Lynwood Avenue and consists of a three bedroom detached dwelling. Five additional dwellings are proposed to the rear of number 12 and number 14 Lynwood Close. The overall proposal consists of the following with the approximate internal floor area in brackets):
- Plot 1 – 1 x three bedroom detached dwelling (130sq.m)
 - Plots 2/3 – 2 x three bedroom semi detached dwellings (115sq.m each)
 - Plot 4 – 1 x three bedroom detached dwelling (130sq.m)
 - Plot 5 – 1 x four bedroom detached dwelling (170sq.m)
 - Plot 6 – 1 x four bedroom detached dwelling (168sq.m)
- 2.3 Two car parking spaces are provided each of the new dwellings apart from plots 5 and 6 where three car parking spaces are provided. There are two carports associated with plots 5 and 6. Two car parking spaces are retained for number 12 Lynwood Avenue.
- 2.4 Amenity space is provided for each of the new dwellings and garden space is retained for number 12 Lynwood Avenue. Plots 2 to 6 are positioned within the existing rear gardens of 12 and 14 Lynwood Avenue. A new access is to be provided between 12 Lynwood Avenue and the new dwelling replacing number 14 Lynwood Avenue (plot 1).

3.0 Application Site

- 3.1 Numbers 12 and 14 Lynwood Avenue are large detached, two storey dwellings located on the eastern side of Lynwood Avenue (red dots in aerial image below). No. 14 Lynwood is but one of a number of character detached properties in Lynwood Avenue, albeit it is perhaps more substantial than some of the other properties in the street. Lynwood Avenue itself has changed very little since most of the properties were built during the 1930s. There is some evidence of prominent extensions having been constructed in the street, but overall the impression is one of substantial character and interest.



- 3.2 Immediately adjoining the site are number 10 (to the south) and number 16 (to the north) Lynwood Avenue. The area is characterised by large detached or semi detached properties set within large plots. All residential properties front Lynwood Avenue with car parking provided off street to the front. Lynwood Avenue itself connects London Road with Langley Road and is heavily trafficked during the peak hours. Nonetheless, the combination of grass highway verges and its tree lined nature reinforce its particular character.

- 3.3 The site is located outside Slough Town Centre boundary and is not within a Conservation Area.

4.0 Site History

P/12604/000 - Demolition of existing house and erection of five detached 4 bedroom dwellings and four detached garages, together with the formation of access and parkway

Refused - 15 December 2003

The grounds for refusal as set out in the Decision Notice are as follows:

The proposal is contrary to Policies H13, H14, EN1 and T3 of The Adopted Local Plan for Slough 2004, the Council's approved guidelines for Backland/Infill Housing Development 1991 and the provision of amenity space around residential properties 1990, in that:

A) The density of the proposed development is considered to be excessive in an area which is characterised by low density housing and is therefore out of keeping with the general character and appearance of the locality

B) The form, character, design and external appearance of the proposed dwellings would be out of keeping with the existing street scene in Lynwood Avenue which is characterised by well established 1930's detached properties, set in substantial plots with long rear gardens

C) The proposed access road and rear parking areas would give rise to general noise and disturbance to neighbouring residential occupiers, particularly No. 16 Lynwood Avenue, resulting in a significant loss of residential amenity

D) There is insufficient rear amenity space to serve the proposed dwellings and in particular plots 1, 3 and 4 being substantial 4 bedroom dwellings and this coupled with the general siting, scale, massing and physical arrangement of the dwellings on site will lead to a cramped form of development, resulting in over-development and detracting from the character and setting of Lynwood Avenue

E) The proximity of the proposed dwellings and associated garages and in particular plots 2, 3, 4 and 5 to neighbouring residential boundaries will result in significant overlooking of neighbouring gardens giving rise to loss of privacy and amenity for neighbouring residential occupiers

F) The siting, scale, bulk and massing of the proposed dwellings will result in a significant loss of outlook from the rear gardens of neighbouring residential occupiers to the detriment of their amenity

G) The proposed development will result in a significant loss of trees and shrubs on site and whilst these may not be of a quality type or species

which would justify their protection by the making of a Tree Preservation Order, their loss would be detrimental of the general character of the area.

H) The development if approved would set an undesirable precedent leading to other backland housing schemes coming forward for approval the cumulative impact of which would be to erode the special character and appearance of Lynwood Avenue and its immediate surrounds.

I) The design of the bellmouth access does not include provision for the footpath to return into the site on either side of the access road, thereby leading to potential conflict between pedestrians and vehicles and increasing the risks of accidents occurring.

P/12604/001 - Demolition of existing dwelling and erection of 3no. four bedroom and 2no. three bedroom dwellings and 4no. garages together with the formation of access and parking

Refused – 13th October 2004

The grounds for refusal as set out in the Decision Notice are as follows:
The proposal is contrary to Policies H9 and EN1 of the Adopted Local Plan for Slough 1992 and Policies H13, H14, EN1 and T3 of the Review of the Local Plan for Slough Consolidated Draft 2002 in that:

The density of the proposed development is considered to be excessive in an area which is characterised by low density housing and is therefore out of keeping with the general character and appearance of the locality

The form, character, design and external appearance of the proposed dwellings would be out of keeping with the existing street scene in Lynwood Avenue which is characterised by well established 1930's detached properties, set in substantial plots with long rear gardens

The applicant has failed to demonstrate adequate visibility at the junction of the proposed access with Lynwood Avenue raising concerns about highway safety at a point in Lynwood Avenue where the road bends quite sharply

The design of the internal access road does not make sufficient on site provision to allow a refuse vehicle, fire appliance or other commercial vehicle to be able to safely turn on site and leave the site in forward gear raising concerns over highway safety at a point in Lynwood Avenue where the road bends quite sharply

The proposed access road and rear parking areas would give rise to general noise and disturbance to neighbouring residential occupiers, particularly No. 16 Lynwood Avenue, resulting in a significant loss of residential amenity

There is insufficient rear amenity space to serve the proposed dwellings and this coupled with the siting, scale, massing and physical arrangement of the dwellings on site will lead to a cramped form of development, resulting in over-development and detracting from the character and setting of Lynwood Avenue

The proximity of the proposed dwellings to neighbouring residential boundaries will result in significant overlooking of neighbouring gardens giving rise to loss of privacy and amenity for neighbouring residential occupiers

The siting, scale, bulk and massing of the proposed dwellings will result in a significant loss of outlook from the rear gardens of neighbouring residential occupiers to the detriment of their amenity

The proposed development will result in a significant loss of trees and shrubs on site to the detriment of the character of the area

The development if approved would set and undesirable precedent leading to other backland housing schemes coming forward for approval the cumulative impact of which would be to erode the special character and appearance of Lynwood Avenue and its immediate surrounds.

5.0 Neighbour Notification

58, Lynwood Avenue, Slough, SL3 7BH, 35, Lynwood Avenue, Slough, SL3 7BJ, 39, Lynwood Avenue, Slough, SL3 7BJ, 8, Lynwood Avenue, Slough, SL3 7BH, 47, Lynwood Avenue, Slough, SL3 7BJ, 22, Lynwood Avenue, Slough, SL3 7BH, 20, Lynwood Avenue, Slough, SL3 7BH, 24, Lynwood Avenue, Slough, SL3 7BH, 26, Lynwood Avenue, Slough, SL3 7BH, 63, Langley Road, Slough, SL3 7AH, 28, Lynwood Avenue, Slough, SL3 7BH, 13, Lynwood Avenue, Slough, SL3 7BJ, 15, Lynwood Avenue, Slough, SL3 7BJ, 40, Lynwood Avenue, Slough, SL3 7BH, 67, Langley Road, Slough, SL3 7AJ, 38, Lynwood Avenue, Slough, SL3 7BH, 4, Lynwood Avenue, Slough, SL3 7BH, 42, Lynwood Avenue, Slough, SL3 7BH, 21, Lynwood Avenue, Slough, SL3 7BJ, 44, Lynwood Avenue, Slough, SL3 7BH, 5, Lynwood Avenue, Slough, SL3 7BJ, 17, Lynwood Avenue, Slough, SL3 7BJ, 62, Langley Road, Slough, SL3 7AD, 19, Blandford Road South, Slough, SL3 7RT, 6, Lynwood Avenue, Slough, SL3 7BH, 25, Lynwood Avenue, Slough, SL3 7BJ, 27, Lynwood Avenue, Slough, SL3 7BJ, 29, Lynwood Avenue, Slough, SL3 7BJ, 54, Lynwood Avenue, Slough, SL3 7BH, 31, Lynwood Avenue, Slough, SL3 7BJ, 9, Lynwood Avenue, Slough, SL3 7BJ, 10, Lynwood Avenue, Slough, SL3 7BH, 12, Lynwood Avenue, Slough, SL3 7BH, 48, Lynwood Avenue, Slough, SL3 7BH, 7, Lynwood Avenue, Slough, SL3 7BJ, 21, Blandford Road South, Slough, SL3 7RT, 23, Blandford Road South, Slough, SL3 7RT, 11, Lynwood Avenue, Slough, SL3 7BJ, 14, Lynwood Avenue, Slough, SL3 7BH, 16,

Lynwood Avenue, Slough, SL3 7BH, 25, Blandford Road South, Slough, SL3 7RT, 27, Blandford Road South, Slough, SL3 7RT, 41, Blandford Road South, Slough, SL3 7RU, 43, Blandford Road South, Slough, SL3 7RU, 45, Blandford Road South, Slough, SL3 7RU, 47, Blandford Road South, Slough, SL3 7RU, 18, Lynwood avenue

- 5.1 62 letters/e-mails of objection have been received in respect of the application although it should be noted that occasionally there are multiple representations from single households. The main issues raised within the objection letters are summarised below:

5.2

Issues raised	Local Planning Authority Response
Highways issues including increased traffic congestion, addition of new access on a bend, increased risk of accidents, increased pressure on parking, accessibility for emergency vehicles and impact on pedestrian safety	See assessment below under impact on Highways and Transport – to be reported via the Amendment Sheet.
Increased levels of noise, disturbance, air and light pollution and a reduction in the quality of life.	See section of report relating to impact on neighbouring occupiers.
Increased levels of crime resulting from the creation of the cul-de-sac	It is not considered that a cul-de-sac layout would lead to an increase in crime.
Out of keeping with the existing character of Lynwood Avenue.	See assessment below under 'Impact on the character and appearance of the area'.
Previous scheme refused on 2004	It is possible for new planning applications to be submitted on sites. Each planning application is considered on its own merits.
Increase in flood risk due to increase in hard standing	The site is within flood zone 1 and surface water flooding can be dealt with via a requirement for SUDS.
Loss of privacy, overlooking, increased noise disturbance and overshadowing resulting from the proposal upon neighbouring properties.	See assessment below under impact onto neighbouring amenity.

Overdevelopment of the site.	See assessment below under 'Impact on the character and appearance of the area'.
Increase in number of dwellings and traffic will lead to air pollution	The site is not within a defined Air Quality Management Area (AQMA) and the quantum of development does not trigger a requirement for air quality and pollution mitigation. Contaminated Land issues are assessed in the relevant section in this report.
Lack of consultation of neighbouring residents	The addresses of those consulted by letter are shown above. All objections received have been taken into consideration in the assessment of this application.
Concerns regarding the potential reduction in house prices.	Not a relevant planning consideration.
Proposal would set a detrimental precedent for the area.	See assessment below under 'Impact on the character and appearance of the area'.

5.3 In addition a petition has been received objecting to the proposed development on the following grounds:

- 1. Road safety concerns because of the introduction of a new intersection on a dangerous bend with consequential increased traffic volume with existing traffic problems.**
- 2. Exacerbate existing traffic congestion due to more vehicle activity (including more parked vehicles in Lynwood Avenue)**
- 3. It is not in keeping with the existing residential area with respect to house density and amenity space. The site will be over-developed.**
- 4. There will be a significant loss of privacy for neighbouring residential occupiers to the detriment of their amenity due to the scale, bulk and massing of dwellings.**
- 5. Increased general noise and disturbance.**
- 6. It may lead to more developments of a similar nature in Lynwood Avenue.**

5.4 An original petition with 189 signatures was initially received with 5 additional signatures submitted at a later date. A total of 195 signatures relating to the objections above were therefore received although it should be noted that multiple signatures from one address were received.

6.0 Consultations

6.1 Transport and Highways

No comments received. Any comments received will be reported into the Amendment Sheet.

6.2 Thames Water

No comments received. Any comments received will be reported into the Amendment Sheet.

6.3 Tree Officer

No objections subject to conditions.

Comments:

There are several established trees which are to be retained as part of this development which are likely to be affected by both the demolition & construction process and would also apply during re-landscaping the gardens etc. I therefore advise that the following tree and root protection measures are put in place during this process especially where trees are located within the same vicinity to where the planned building work is to take place.

Root Protection Areas:

The RPA (Root Protection Area) is the distance that construction must normally be kept back from a tree, to provide the Root Protection Area recommended in BS5837. Any excavation work carried-out within this specified area could be detrimental to the long term health & stability of the trees.

It is unlikely that there will be any substantial root growth beyond the RPA of these trees; however caution should still be applied as there may be some radial roots present within the top 600mm of topsoil outside of this zone and therefore this should be taken into consideration should any further excavation work be planned. This would in turn help to preserve the health of all the trees located on adjacent land including protecting the overall stability & structure of the surrounding ground within the construction area itself.

All work relating to trees should be carried out in accordance with BS3998: 2010 Recommendations for tree work. Reason: to ensure that works are carried out in such a way as to not cause avoidable harm to the tree(s) and to protect local amenity.

Ground levels:

Extra care should also be taken not to unnecessarily build-up ground levels around any of the trees that are to be retained as part of the redevelopment as this could be detrimental to their long term health.

This would also apply if removing top soil unnecessarily from around tree bases including within the root protection zones as this may also affect the stability & health of these trees.

Tree Protection Fencing

Tree Protection Fencing should be erected around the allocated area as this will provide full protection of the Root Protection Area of retained trees. The Fencing must be from weldmesh panels at least 2m high securely fixed with wire or scaffold clamps to a rigid framework. This framework must be constructed from scaffold tubes with vertical tubes at a maximum interval of 3m and driven into the ground at least 0.6m.

The structure must be well braced to resist impacts, alternatively weldmesh panels can be supported on blocks providing the blocks are pinned to the ground with road pins or similar and the panels are braced.

Tree Protection Fencing must be maintained and retained for the duration of the works or until such time as agreed in writing with the Local Planning Authority.

Notices:

Notices should also be fixed to the Tree Protection Fencing Highlighting the fact that no construction activity is to take place within this area.

Replacement Trees:

As the removal of one more trees is proposed as part of this development an equivalent number or more new trees of similar or appropriate size and species must be planted in the location, or as near to the location of the removed trees in the next available planting season. A scheme of the subsequent maintenance and retention of the proposed planting must be established.

Bird Nesting Season:

Any planned tree maintenance or removal work carried out between February & August should be carefully considered to avoid impact to nesting birds and infringement of the *Wildlife and Countryside Act 1981* and breaching the *European Habitats Directive 1992/Nesting Birds Directive*.

Bat Roosts:

Although it is unlikely that there will be bats present within these particular trees the current legislation makes it a criminal offence to disturb damage or destroy any bat roost or hibernation area. Contractors must therefore be reminded of their responsibilities and should contact the relevant authorities if any signs of bats are found.

Tree Related Work:

All work to be carried out in accordance with BS3998: 2010 Recommendations for tree work. Reason: to ensure that works are carried out in such a way as to not cause avoidable harm to the tree(s)

and to protect local amenity.

TPOs & Conservations Areas:

There are no Tree Preservations Orders associated with any of these trees and it is not located within a Conservation Area.

Concerns & Objections:

I have no major concerns with this application as long as all relevant tree protection measures are put in place during the construction & re-landscaping process as this would be necessary to protect and preserve the stability and long term health of the remaining trees.

Written evidence outlining the tree protection measures used during this process should also be provided by the applicant if possible if applicable. Based on all of the above being adhered too I have no objections with regards to what is being proposed as part of this Planning Application.

6.4 **Land Contamination**

No comments received. Any comments received will be reported into the Amendment Sheet.

7.0 **Policy Background**

7.1 **National Planning Policy Framework 2019**

Slough Local Development Framework Core Strategy 2006-2026

Development Plan Document 2008 policies:

- Core Policy 1 – Spatial Strategy
- Core Policy 3 - Housing Distribution
- Core Policy 4 - Type of Housing
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 9 – Natural and Built Environment
- Core Policy 10 – Infrastructure
- Core Policy 11 – Social Cohesiveness
- Core Policy 12 – Community Safety

Local Plan for Slough March 2004 policies:

- EN1 – Standard of Design
- EN2 - Extensions
- EN3 – Landscaping Requirements
- EN5 – Design and Crime Prevention
- H13 - Backland/Infill Development
- H14 - Amenity Space

- H15 – Residential Extensions
- T2 - Parking Restraint
- T8 - Cycling Network and Facilities

Slough Local Development Plan and the NPPF

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 revised version of the National Planning Policy Framework (NPPF) was published on 19th February 2019.

The National Planning Policy Framework 2019 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2019, the Local Planning Authority can not demonstrate a Five Year Housing Land Supply. Therefore, when applying Development Plan Policies in relation to the distribution of housing, regard will be given to the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2019 and refined in case law.

Planning Officers have considered the revised National Planning Policy Framework 2019 which has been used together with other material planning considerations to assess this planning application.

7.2 The planning considerations for this proposal are:

- Principle of the proposal
- Impact on the character and appearance of the area
- Impact on neighbouring amenity
- Living conditions of future occupiers
- Highways and transport

8.0 Principle of Development

8.1 Given the absence of a five year supply in housing, the Local Planning

Authority (LPA) must undertake an exercise in judgement in determining the appropriate balance of considerations as to whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2019 taken as a whole. It is required to assess whether the proposed development is sustainable as defined by the NPPF 2019.

- 8.2 Core Policy 4 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document states that in urban areas outside the town centre, new residential development will predominantly consist of family housing. The Berkshire Strategic Housing Market Assessment has identified the need for family housing which reflects the disproportionate number of flats which have been completed in recent years as a result any development within the urban area should consist predominantly of family housing.

- 8.3 The Core Strategy defines family housing. As of 1st November 2018 the definition has been updated and is shown below:

'A fully self-contained dwelling with a minimum gross internal floor area of 79 square metres, that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached, semi-detached, terraced and town house dwellings but not flats and maisonettes.'

- 8.4 The proposed dwellings have three or four bedrooms, have an internal floor area in excess of 79sq.m and have direct access to a private garden. The proposed development would therefore provide family housing to the required standard. One three bedroom dwelling is proposed to be demolished. However, there would be a net gain of family housing.

- 8.5 Given there would be no net loss of family housing and the weight of balance is tilted towards the supply of housing, the principle of this housing type would be acceptable subject to complying with the relevant planning considerations which are assessed below.

- 8.3 Policy H13 (Backland Development) of Slough Local Plan (2004) sets the requirements to allow appropriate backland development and criteria to resist inappropriate development of residential gardens as backland/infill developments such as this application for the proposed developments in the rear gardens of numbers 12 and 14 Lynwood Avenue. The LPA has to consider whether the proposal would be sustainable development, and part of that assessment is whether development would contribute to the protection and enhancement of the

natural, built and historic environment. It is therefore considered that an assessment should be made on whether the development would cause harm to the local area.

- 8.4 The proposal seeks the subdivision of a plot of land to provide 6 new dwellings. Five of these houses five would be new family dwellings. The provision of five additional family houses to the rear of the site would generally contribute to the housing provision within the Borough.
- 8.5 The proposed development to provide housing within the deep and generally open and retained rear gardens of numbers 12 and 14 Lynwood Avenue is considered unacceptable backland development which fails to comply with the aims of Core Policy 4 of Slough Core Strategy 2006-2026 due to the detrimental impact on the character and pattern of development of the area.
- 8.6 Based on the assessment above, the proposal is considered to be unacceptable in principle and contrary to the provisions of the NPPF 2019, Core Policy 4 of Slough Core Strategy 2006-2026 and Policy H13 of the Slough Local Plan 2004.

9.0 Design and Impact on Appearance and Character of the area

- 9.1 Policy EN1 of the Local Plan outlines that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of scale, height, massing, layout, siting, building form and design, architectural style, materials, access points, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water course. Poor designs which are not in keeping with their surroundings and schemes that overdevelop the site will not be permitted.
- 9.2 Of particular relevance is policy H13 of the Local Plan. This is shown below:

‘Proposals for small scale infilling, including backland development, will not be permitted unless they comply with all of the following criteria:

- a) the type, design, scale and density of the proposed new dwelling or dwellings are in keeping with the existing residential area;*
- b) appropriate access, amenity space and landscaping are provided for the new dwellings;*
- c) appropriate car parking provision is made in line with the aims of the integrated transport strategy;*
- d) the scheme is designed so that existing residential properties retain appropriate garden areas, they do not suffer from overlooking or loss of privacy, and there is no substantial loss of amenity due to the creation of new access roads or parking*

- areas;*
- e) the proposal is not located within a residential area of exceptional character; and*
 - f) the proposal optimises the potential for more comprehensive development of the area and will not result in the sterilisation of future residential land.'*

9.3 Core Strategy Policy 8 states that all development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. Core Policy 8 outlines:

'All development will:

- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;*
- b) Respect its location and surroundings;*
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.'*

Whilst it is acknowledged that Lynwood Avenue is not within a Conservation Area nor protected under any other formal designation, it is nonetheless an area of "residential character". The road comprises a "tree line avenue", comprising predominantly of detached houses, set in substantial plots, of a design characteristic to 1930s architecture. It is an area which has undergone little change and there are no other examples of backland development along this road.

The street scene has retained a long and well established character, which would be under threat if this planning application was to be approved. It would set an undesirable precedent leading to other such piecemeal schemes coming forward and which cumulatively would result in significant harm to the general street scene and loss of amenity for existing residents.

9.4 The application site comprises a constrained site accessed between numbers 12 and 14 Lynwood Avenue. The site is bordered on all sides by residential properties and their gardens. The characteristic of Lynwood Avenue is detached and semi-detached two storey residential properties of a relatively similar size and design fronting the highway and creating a street frontage. Backland residential development is not a characteristic of the street. The buildings that are at the rear of properties are predominantly single storey outbuildings and garages.

9.5 The application proposes to erect one replacement and five new residential properties on the site, with associated car ports, parking and amenity space. The result is that a high percentage of the site is taken up by built form and hardstanding. Policy H13 of the Local Plan outlines

the importance of backland development being of a type, design, scale and density in keeping with the existing residential area.

9.6 Lynwood Avenue is not characterised by properties in the rear gardens. Dwellings in the surrounding area front the main road and have large garden areas to the rear. The proposed dwellings will be visible from the street scene from the proposed access and glimpsed from other gaps between the properties on Lynwood Avenue. These gaps between dwellings are characteristic of the local area and the erection of the proposed dwellings will harm this characteristic.

9.7 It is considered that the proposal constitutes over-development of the site which results in an undesirable form of backland development that is not in keeping with the surrounding pattern of development for the following reasons:

- The introduction of new residential development to the rear of existing dwellings, in an area where none exists to the rear of properties at present.
- From the surrounding properties in the area the proposed dwellings would appear as uncharacteristic intrusions into what is an extensive area of relatively large and open space which is free of any substantial buildings.
- The subdivision of the site resulting in noticeably smaller garden areas for the properties than the surrounding area and a far higher proportion of built form and hardstanding.

9.8 Given the above, the introduction of one replacement and five new dwellings within the land to the rear of the existing properties on Lynwood Avenue would represent an incongruous form of development which would permanently alter the character of this established residential area.

9.9 The proposed development for six dwellings would introduce a form of backland development which would fail to enhance the distinctive character, identity and visual amenity of the area. It would also fail to respect the established pattern of development in the locality resulting in significant and demonstrable harm. The development would therefore conflict with policies Core Policy 4 and Core Policy 8 of the Core Strategy and policies EN1 and H13 of the Adopted Local Plan for Slough and the requirements of the NPPF 2019. This significantly weighs against the benefits of the proposal.

10.0 Impact on neighbouring amenity

10.1 Policy H13 of the Local Plan outlines that backland/infill development should be designed so that existing residential properties retain appropriate garden areas, do not suffer from overlooking or loss of

privacy and that there is no substantial loss of amenity due to the creation of new access roads or parking areas.

The planning application is unacceptable on two fronts. Firstly, the proposed access road is located adjacent to the boundary with 12 Lynwood Avenue. The level of usage by pedestrians and vehicles would result in noise and disturbance to the occupiers of that dwelling resulting in unacceptable harm to the amenities of the existing and future occupiers. The noise and general increase in the level of activity from within the site from car movements and car lights etc. would give rise to unacceptable harm to the amenities of neighbouring and surrounding residential occupiers. Secondly, the siting and orientation of some of the proposed dwellings would give rise to potential overlooking and a loss of privacy for neighbouring residential occupiers.

- 10.2 It is considered that there would be a harmful impact on the amenities of neighbouring dwellings. In relation to the built form of the proposed development, it is considered that there would be an overbearing impact of the development on the rear gardens of numbers 10 and 16 Lynwood Avenue. This is due to the proximity of the side elevations of the proposed dwellings to the on the northern and southern boundaries of the site.
- 10.3 There are general concerns regarding the intensification of the proposed site and the impact on neighbouring properties. The six residential units that are proposed will result in a significant increase in the level of noise associated with domestic activity in close proximity to the neighbouring dwellings and their gardens, in particular to those on Lynwood Avenue and Blandford Road South. The intensification of residential use to the rear garden of the properties on Lynwood Avenue and Blandford Road South would also result on noise disturbance from the proposed areas of car parking, significantly eroding the current amenities enjoyed by the residential houses at numbers 10, 12, 16 Lynwood Avenue and properties on numbers 23, 25, 41, 43 and 45 Blandford Road South. As such, the intensification of the residential use and the expected associated activity in the rear garden area of the site would result in increased noise and disturbance, to the detriment of the residential amenity of the occupiers of these neighbouring properties and it is considered that this intensification would be harmful to neighbouring residential amenity.
- 10.4 There are no windows to habitable rooms in the side elevations of the proposed dwellings. Therefore there is no potential for overlooking to the north and south. The rear elevations of the five new dwellings range are sufficiently distant from the rear elevations of dwellings on Blandford Road South that window to window overlooking does not occur. The rear garden depths of the proposed new dwellings are also sufficient to ensure that there is no material concerns regarding overlooking into rear gardens on Blandford Road South.

- 10.5 There are particular concerns regarding the amenity of number 12 Lynwood Avenue. The introduction of the new access along with the car port and parking areas to the east will mean that the dwelling will be significantly impacted by noise and disturbance caused by vehicle and pedestrian movements.
- 10.6 Based on the assessment above, and taking into account the objections received by neighbouring properties, the proposal is considered to significantly harm the amenities of neighbouring residential properties. The proposal would not comply with policies EN1 and H13 of the Local Plan for Slough 2004, Core Policy 8 of Slough Local Plan and the requirements of the NPPF 2019. This amounts to significant and demonstrable harm which significantly weighs against the benefits of the proposal.
- 11.0 **Impact on the living conditions of future occupiers**
- 11.1 Core policy 4 of Council's Core Strategy seeks residential development to achieve "a high standard of design which creates attractive living conditions."
- 11.2 The Technical Housing Standards – Nationally Described Space Standard (March 2015) (as amended) adopted by Slough Borough Council in November 2018 sets out the minimum internal space requirements for new dwellings. Policies H13 and H14 of The Adopted Local Plan seek appropriate levels of amenity space that should be provided.
- 11.3 It is considered that the rooms within the proposed dwellings are of an acceptable size and have appropriate daylight and access to natural light. It is not considered that the proposed dwellings would have unacceptable amenity resulting from buildings of an overbearing nature or from overlooking from other properties.
- 11.4 Three bedroom dwellings should have a garden area of at least 10 metres in depth or 50sq.m. Four bedroom dwellings should have a garden area of at least 15 metres in depth or 100sq.m. The proposed garden areas (and that retained by number 12 Lynwood Avenue) comply with this requirement. In cases where the required depth of garden is not provided, the overall area of the garden is acceptable. However, there may be pressure to fell existing trees near proposed plots 2,3 & 4 as these trees may result in loss of light, overshadowing, leaf-fall which may affect future residents enjoyment of their gardens. The pressure to remove trees would further erode the verdant character and contribute to the proposed development .
- 11.5 Whilst noting the above, the proposal at this time would not have a harmful impact on the future occupiers of the proposed dwellings. Due weight to the proposal is therefore given in this respect.

12.0 Highways and parking

- 12.1 The National Planning Policy Framework states that planning should locate development 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.
- 12.2 A three bedroom property requires 2 car parking spaces and 1 cycle parking space. A four bedroom property requires 3 car parking spaces and 1 cycle space. The proposed layout shows the required levels of car parking for the proposed dwellings. Although there is no cycle parking shown, this could be achieved via condition.
- 12.3 No comments have been received from the Highways Team at the time of writing this report. It is recognised that there are a large number of objections to the proposed scheme on the grounds of highway matters. Comments from the Highways Team will be reported via the Amendment Sheet.

13.0 Land Contamination

- 13.1 Core Policy 8 of Slough Core Strategy Document states that development shall not “*cause contamination or deterioration in land, soil or water quality*” nor shall development occur on polluted land unless appropriate mitigation measures are employed.
- 13.2 No comments have been received from the Contamination Officer at the time of writing. Comments will be reported via the Amendment Sheet.

14.0 Trees and biodiversity

The proposed development will have a potential impact on trees currently on site. However, the Tree Officer has commented that there are no objections to the scheme subject to conditions. In relation to biodiversity, whilst no evidence suggest protected species would be affected, it is noted that the existing verdant gardens contribute towards biodiversity. The loss of this garden area to residential development is unlikely to enhance biodiversity and thus the character of the area would be unduly harmed.

15.0 Process

- 15.1 It is the view of the Local Planning Authority that the proposed development does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.

16.0 **Conclusion**

The proposal represents inappropriate backland development, which is out of keeping with the character of the surrounding area. An intensification of access and new built form in the existing rear garden will harm the amenity of neighbouring occupiers on Lynwood Avenue and Blandford Road South by way of noise and general activity. Cumulatively, the proposal is considered to result on an unneighbourly form of development which would significantly harm neighbours' living conditions, contrary to the provisions of the National Planning Policy Framework 2019; Core Policy 8 (Sustainability and the Environment) and Policies H13 (Backland/Infill development) and EN1 (Standard of Design) of Slough Local Plan.

17.0 **PART C: RECOMMENDATION**

- 17.1 Having considered the relevant policies set out above, comments from consultees and neighbours representations as well as all relevant material considerations it is recommended the application be **refused** based on the following reasons below.

18.0 **PART D: REASONS FOR REFUSAL**

1. The proposed development, by reason of its subdivision of long residential rear gardens to provide houses, the introduction of much smaller gardens in a row of properties characterised by long rear gardens, increased urbanisation of this part of Lynwood Avenue and introducing uncharacteristic buildings and areas of hardstanding within rear gardens is considered to be inappropriate backland development. As such the proposal would fail to respect, respond or enhance the established pattern of development of the area and harm the character and appearance of the street scene, leading to overdevelopment of the site. Should this proposal be allowed, it would be difficult for the Local Planning Authority to resist similar unacceptable inappropriate backland development in this part of Lynwood Avenue to the overall detriment of the vicinity and pattern of development of the area and would be to erode the special character and appearance of Lynwood Avenue and its immediate surrounds. The proposal is considered to be contrary to the provisions of the National Planning Policy Framework 2019, Core Policies 1, 4 and 8 of the Slough Local Development Framework Core Strategy 2006 – 2026 (Development Plan Document, December 2008) and Policies H13 and EN1 of Slough Local Plan 2004.
2. The proposed development, by reason of its siting and intensification of residential use to the rear gardens of the properties at numbers 12 and

14 Lynwood Avenue would result in a detrimental overbearing impact on numbers 10 and 16 Lynwood Avenue and increased noise disturbance to numbers 10, 12, 16 Lynwood Avenue and properties on numbers 23, 25, 41, 43 and 45 Blandford Road South. Such impacts upon the residential amenity of neighbouring occupiers are considered to be unacceptable and harmful, contrary to the aims of the National Planning Policy Framework 2019, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006 – 2026 (Development Plan Document, December 2008) and Policy EN1 of Slough Local Plan 2004.