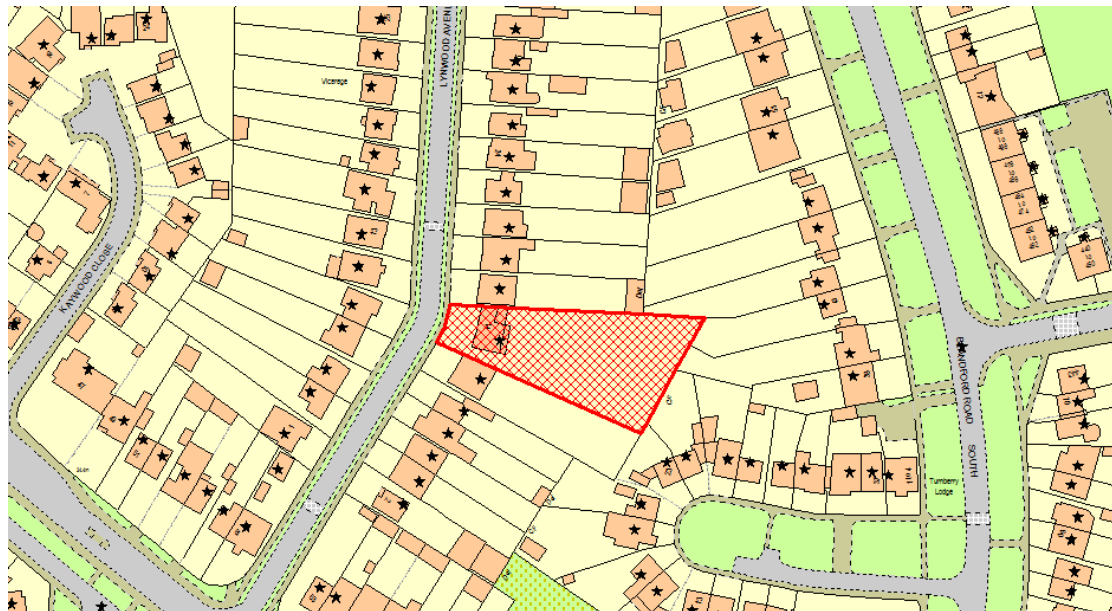


Registration Date:	26 th May 2020	Application No:	P/12604/003
Officer:	Caroline Longman	Ward:	Upton
Applicant:	Matt Taylor	Application Type:	Minor
		8 Week Date:	21 st July 2020
Agent:	None		
Location:	14 Lynwood Avenue, Slough, SL3 7BH		
Proposal:	Construction of 2no 4 bedroom detached dwellings with associated parking and access and alterations to existing dwelling.		

Recommendation: Refusal



P/03099/003 – 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.
- 1.3 The proposal is recommended for refusal on the following grounds:
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 property at number 14 Lynwood Avenue would result in increased noise disturbance to numbers 12, 14 and 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.

PART A: BACKGROUND

2.0 Proposal

- 2.1 Full planning permission is sought for the construction of 2no 4 bedroom detached dwellings with associated parking and access and alterations to existing dwelling (number 14 Lynwood Avenue).
- 2.2 2 x four bedroom detached properties are proposed on the site. There are also alterations to the existing property at number 14 Lynwood Avenue to allow an access to be created to the rear of the site. Number 14 Lynwood Avenue has been re-orientated so that there is a narrower frontage onto Lynwood Avenue but a longer elevation running west to east. The retained dwelling at number 14 Lynwood Avenue has four bedrooms. Two additional dwellings with associated car ports are therefore proposed to the rear of number 14 Lynwood Avenue.
- 2.3 Two car parking spaces are provided for the altered dwelling at number 14 Lynwood Avenue. Each of the 2 x four bedroom each dwellings have three car parking spaces (one provided within a car port).
- 2.4 Amenity space is provided for each of the new dwellings and garden space is retained for number 14 Lynwood Avenue.

3.0 Application Site

- 3.1 Number 14 Lynwood Avenue is a large detached, two storey dwelling located on the eastern side of Lynwood Avenue. Immediately adjoining the site are number 12 (to the south) and number 16 (to the north).
- 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.
- 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

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

P/12604/002 - Demolition of existing dwelling and construction of 4no. three bedroom dwellings and 2no. four bedroom dwellings with associated access, parking and amenity space.

Refused – 27th January 2020 (currently under appeal)

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, 11, Lynwood Avenue, Slough, SL3 7BJ, 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, 5, Lynwood Avenue, Slough, SL3 7BJ, 9, Lynwood Avenue, Slough, SL3 7BJ, 10, Lynwood Avenue, Slough, SL3 7BH, 12, Lynwood Avenue, Slough, SL3 7BH, 18, Lynwood Avenue, Slough, SL3 7BH, 1, Lynwood Avenue, Slough, SL3 7BJ, 48, Lynwood Avenue, Slough, SL3 7BH, 3, Lynwood Avenue, Slough, SL3 7BJ, 34, Lynwood Avenue, Slough, SL3 7BH, 7, Lynwood Avenue, Slough, SL3 7BJ, 39, Blandford Road South, Slough, SL3 7RU, 8, Lynwood Avenue, Slough, SL3 7BH, 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, 13, Lynwood Avenue, Slough, SL3 7BJ, 15, Lynwood Avenue, Slough, SL3 7BJ

5.1 57 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

Issue	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.
New appearance of number 14 Lynwood Avenue out of keeping with the rest of the road.	See assessment below in relation to the impact of the development on the character of the area.
Negative impact on biodiversity/ecology	See assessment below in relation to biodiversity and ecology.
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.
Out of keeping with the existing character of Lynwood Avenue.	See assessment below under 'Impact on the character and appearance of the area'.
Previous schemes refused in 2004 and 2020	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/inappropriate increase in density	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.
All residents of the street should have received a notification letter.	The addresses of those consulted by letter are shown above. All objections received have been taken into consideration in the assessment of this application.
Proposal would set a detrimental precedent for the area.	See assessment below under 'Impact on the character and appearance of the area'.
Increased demand on local services	Developments of this scale do not qualify for S106 contributions towards local facilities.
Comparisons with other developments are not valid.	Each planning application is dealt with on its own merits. The other developments referred to by the applicant are not considered to be comparable.
The applicants are taking advantage of the Covid 19 situation.	The assessment of the planning merits of the scheme is not impacted by Covid 19.

5.3 In addition a petition with 438 signatures (although it should be noted that the petition contained multiple signatures from one address) has been received objecting to the proposed development on the following grounds:

1. It is not in keeping with the existing residential area with respect to house density and amenity space. The site will be over-developed.
2. Road safety concerns because of the introduction of a new intersection on a dangerous bend with consequential increased traffic volume with existing traffic problems increasing likely hood of pedestrian and vehicle accidents.
3. 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.
4. Increased general noise and disturbance.
5. It will lead to more developments of a similar nature on Lynwood Avenue.
6. If approved this developer will just add more houses to existing planning application as demonstrated by their past record on their developments.
7. Recent planning P/12604/002 (15th Jan 2020) out-right rejected by the planning officer based on current policies in Slough Borough Council and rubber stamped by the planning committee by 8 votes to 0. Previous planning (P/12604/001) of similar nature rejected 2003 and then again in 2004.

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 comments received. Any comments received will be reported into the amendment sheet.

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 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 Emerging Preferred Spatial Strategy for the Local Plan for Slough 2013-2036

On 1st November 2017 the Planning Committee approved further testing and consideration of the Emerging Preferred Spatial Strategy for the Local Plan for Slough 2013-2036.

7.3 On 26th August 2020 the Committee considered Local Plan Strategy Key Components. These key components are:

- **Delivering** major comprehensive redevelopment within the “Centre of Slough”;
- **Selecting** other key locations for appropriate sustainable development;
- **Enhancing** our distinct suburbs, vibrant neighbourhood centres and environmental assets;
- **Protecting** the “Strategic Gap” between Slough and Greater London;
- **Promoting** the cross border expansion of Slough to meet unmet housing needs.

7.4 In relation to the proposed development, the component relating to enhancing distinct suburbs is of relevance. Enhancing the areas where most people live is an important part of the Spatial Strategy.

7.5 The Protecting the Suburbs report, which was approved by Planning Committee on 24th June, showed why it was not practical, viable, sustainable or desirable to allow any of the family housing to be lost. There is, however, scope for redevelopment on non garden land such as garage courts and other brownfield sites. It is also important that we protect and enhance the open spaces, parks and other assets of community value within the residential areas in order to support healthy and active lifestyles. As a result both protecting and promoting the neighbourhoods and the suburban

residential areas within them is an important part of the Spatial Strategy.

7.6 The planning considerations for this proposal are:

- Principle of the proposal
- Design and impact on the character and appearance of the area
- Impact on neighbouring amenity
- Living conditions of future occupiers
- Highways and transport
- Contamination
- Trees and ecology
- S106

8.0 Principle of Development

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

- 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 number 14 Lynwood Avenue. The Council 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 two new family dwellings. The provision of two 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 rear garden of number 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.'*

9.4 The application site comprises a constrained site accessed between numbers 14 and 16 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 make alterations to number 14 Lynwood Avenue and erect two new detached dwellings 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 In relation to the amendments to number 14, it is not considered that the proposed re-orientation and alterations reflect the wider character of the area. The proposed alterations to number 14 Lynwood Avenue will result in a dwelling that has a far narrower frontage than what is typically found on Lynwood Avenue, and this is compounded by the introduction of a new access to the side of the dwelling. There are no other access roads leading to the rear of properties on Lynwood Avenue. As a result, it is considered that the proposed alterations to number 14 Lynwood Avenue and the introduction of the access will have a harmful impact on the street scene.
- 9.8 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 the existing dwelling, 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.
- 9.9 Given the above, the introduction of two new dwellings within the land to the rear of the number 14 Lynwood Avenue would represent an incongruous form of development which would permanently alter the character of this established residential area.

9.10 The Protecting the Suburbs report, which was approved by Planning Committee on 24th June, shows why the suburbs (including Lynwood Avenue) will not be able to provide the additional dwellings that are required. In paragraph 6.4.1 the report states in relation to in-fill development that:

The third option proposed intensification of the suburbs by allowing piecemeal infill of new houses, also known as backland development between existing houses or through small scale redevelopment on gardens. Our analysis shows that the availability of land suitable for infill between existing buildings is small.

9.11 The contribution of two additional dwellings to housing supply would be very small and the making more effective use of land must also take into account safeguarding and improving the environment. The proposal would adversely affect the character and appearance of the area. Good design is a key aspect of sustainable development, creating better places in which to live and work and helps make development acceptable to communities. In this regard, this development would not be sympathetic to local character and history, including the surrounding built environment and landscape setting. Consequently, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, even after taking into account the Council's 5YHLS position.

9.12 The proposed development for two additional 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 proposed changes to number 14 Lynwood Avenue and the introduction of a new access road would have a harmful impact on the street scene. The development would therefore conflict with policies CP4 and CP8 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.

10.2 In relation to the built form of the proposed development, it is considered that there the proposed dwellings would be positioned sufficiently far

from the boundaries of the site to ensure that there would not be an overbearing impact. At the time of writing drawings relating to the proposed car ports are to be received from the agent. However, it is not considered that these would have an overbearing impact based on the standard height of a car port. Should there be a difference in assessment once the car port drawings are received then this will be reported via the amendment sheet.

In relation to the amendments to number 14 Lynwood Avenue, it is not considered that the proposed changes will result in an overbearing impact on neighbouring properties. Additionally, there are no windows in the side elevations of the altered number 14 dwelling that cause concern in relation to overlooking. The only windows serve non habitable rooms (at first floor level) or are angled to reduce the level of direct overlooking. It would be possible to ensure that these side windows are fixed and obscure glazed via condition had the proposal been acceptable.

- 10.3 There are general concerns regarding the intensification of the proposed site and the impact on neighbouring properties. The two 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 including those on Blandford Road South. 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 new dwellings 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 14 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 Number 16 Lynwood Avenue will also be impacted by the proposed new access and car ports/parking area on their southern boundary for the same reasons given above
- 10.7 Based on the above, the proposal would not comply with policy H13 of the Local Plan for Slough 2004, the Core Strategy 2008, 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 SBC 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. This also applies to the retained number 14 Lynwood Avenue.
- 11.4 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 14 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.
- 11.5 Based on the above, the proposal 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 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 new dwellings. However, the retained 14 Lynwood Avenue only provides two car parking spaces and therefore one additional space is required. Although there is no cycle parking shown, this could be ensured via condition.

12.3 No comments have been received from the Highways team at the time of writing. 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. Any comments received will be reported via the amendment sheet, noting however that previous applications have not raised significant contamination issues.

14.0 Trees and biodiversity

The proposed development will have a potential impact on trees and ecology currently on site. Comments from the tree officer have yet to be received and these will be reported via the amendment sheet. In relation to biodiversity, conditions could be applied to ensure that biodiversity on the site is maintained and enhanced. It should however be noted that in the planning statement it says “The proposal would also not result in the loss of any existing buildings or habitat that might hold any ecological potential”, but no ecological survey has been submitted and no assessment has been made of potential impacts due to potential loss of trees. In any event, 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 S106

15.1 Under the previous application (P/12604/003) highway comments were received requiring a S106 contribution towards improvements to cycling and walking facilities and a parking study, control measures or Traffic Regulation Orders.

15.2 As mentioned above, no highways comments have been received at the time of writing. However, if a S106 is required, then the lack of one would form an additional reason for refusal as a holding objection.

16.0 Process

16.1 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.

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:

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 property at number 14 Lynwood Avenue would result in increased noise disturbance to numbers 12, 14 and 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.