

## SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 29<sup>th</sup> April 2015

### PART 1

### FOR INFORMATION

#### Planning Appeal Decisions

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

**WARD(S)**

**ALL**

<b>Ref</b>	<b>Appeal</b>	<b><u>Decision</u></b>
<b>P/03173/004</b>	<p>22, Barton Road, Slough, SL3 8DF</p> <p>ERECTION OF GROUND FLOOR REAR EXTENSION, GARAGE EXTENSION AT THE FRONT AND A FIRST FLOOR EXTENSION AT THE REAR AND SIDE</p> <p>THE CONDITION IN DISPUTE IS CONDITION NO 7 WHICH STATES THAT: NOTWITHSTANDING THE TERMS AND PROVISIONS OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDED) (NO2) ENGLAND) ORDER 2008 (OR ANY ORDER REVOKING AND RE-ENACTING THAT ORDER) (OR ANY ORDER REVOKING AND RE-ENACTING THAT ORDER), SCHEDULE 2, PART 1, CLASSES A, B, C, D, E AND F, NO EXTENSION TO THE HOUSE HEREBY PERMITTED OR BUILDINGS OR ENCLOSURES SHALL BE ERECTED, CONSTRUCTED OR PLACED ON THE SITE WITHOUT THE EXPRESS PERMISSION OF THE LOCAL AUTHORITY OF P/03173/004)</p> <p>Reason Given for the Condition is: The rear garden is considered to be only just adequate for the amenity area appropriate for houses of the size proposed. It would be too small to accommodate future developments which would otherwise be deemed to be permitted by the provision of the above order in accordance with Policy H14 of the Adopted Local Plan for Slough 2004, which seeks to ensure that an appropriate level of amenity space is provided having regard to the type and size of household likely to occupy the dwelling and EX48 of the Residential Extensions Guidelines Supplementary Planning Document Adopted Jan. 2010.</p>	<p><b>Appeal Granted</b></p> <p><b>30<sup>th</sup> January 2015</b></p>

	<p>2. The Inspector considered whether the disputed planning condition meets the guidance of planning conditions set out in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The stated reason for the Planning Condition relates to the size of the rear garden however subsequent representations from the Council and local residents make it clear that there are other concerns.</p> <p>The inspector also considered the adjoining neighbour's concerns about damaging to their property during construction.</p> <p>The Inspector finally considered that The Council has not demonstrated and In do not consider that there are any exceptional circumstances that warrant the removal of the relevant permitted development rights at this dwelling. The Inspector considered that the recent extensions have made very little difference to this and the disputed planning condition is unnecessary, not directly related to the development being permitted and also unreasonable. The test for conditions are not met.</p> <p>Having regard to these considerations, for the reasons given above and having regards to all other matters raised, the Inspector concluded that the appeal should be allowed and the condition deleted.</p>	
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