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| Registration Date: | 09-Apr-2018 | Application No: | P/17173/006 |
| Officer: | James Guthrie | Ward: | Langley St. Marys |
| Applicant: | Mr. Shahid Mahmood, Globeshield International Ltd | Application Type: | Major |
| | | 13 Week Date: | |
| Agent: | Mr. Ehsan UI-Haq, ArchiGrace Ltd 50, Two Mile Drive, Slough, SL1 5UH | | |
| Location: | 98, High Street, Langley, Slough, SL3 8JS | | |
| Proposal: | Construction of a proposed single storey side and rear extension | | |

Recommendation: Delegate to Planning Manager for Approval



P/17173/006

1.0 SUMMARY OF RECOMMENDATION

- 1.1 This planning application is for 'householder' development which would normally be determined under powers of officer delegation. However, the application has been "called in" by a Ward Councillor to be determined by the Planning Committee.
- 1.2 Having regards to the Policies contained within National Planning Policy Framework and local planning policies contained within the Local Development Framework, Core Strategy and the Adopted Local Plan, the application is recommended for approval subject to conditions.

PART A: BACKGROUND

2.0 Proposal

- 2.1 Planning permission is sought for the proposed construction of a single storey side and rear extension to create a dining room and an enlarged kitchen at ground floor. The single storey rear extension would be 3.65m deep, and the single storey side extension would be 1.15m wide; a continuous 3m high flat roof will join the side and rear extension to the existing rear projection. The rear extension would replace an existing rear extension, 3.25m deep with a mono-pitched roof 2.3m high reducing to 2m; the proposed rear extension would be some 40cm deeper, 70cm to 1m higher (due to the flat roof replacing the mono-pitched roof) and 1.15m wider.

The original proposal included a separation gap of 30cm between the respective side walls of the proposed rear extension and the neighbouring property at no.100 High Street; this separation distance is insufficient for maintenance purposes and would most likely gather debris, vegetation and other detritus. Discussions with the applicant's agent resulted in an amended proposal, and the side wall of the extension would abut the neighbouring wall; amended plans were received on 11 May 2018 and neighbours were consulted for an additional 14 days for comments on these amendments.

3.0 Application Site

- 3.1 The site is a two storey mid-terraced property within the terrace formed by nos.94 to 100 High Street. The site has a two storey rear projection approximately two thirds the width of the dwelling, with a mono-pitched roof perpendicular to the main gable roof. The rear garden is over 50m deep, up to 5m wide, reducing to approximately 3m at the end boundary furthest from the dwelling house; the garden of the site (and immediate neighbours) is south east facing, therefore the rear gardens benefit from sunlight from the morning to early evening (when the dwellings to the north west would cast shadow over the gardens). The original dwelling has an approximate footprint of 51m². The site is not a listed building or within a Conservation Area.

The neighbouring property, no.100 High Street has a single storey rear projection, with two semi-circular side facing windows, approximately 1.7m high on the apparent site boundary. Due to its age and history the cottages may amount to being a heritage asset as explained below.

4.0 **Site History**

P/17173/000 Lawful development certificate for a proposed loft conversion with rear dormer & velux windows.

Approved Grant CLU/D;Informatives 19-Dec-2017

P/17173/001 Lawful development certificate for a proposed rear outbuilding.

Withdrawn by Applicant 27-Oct-2017

P/17173/002 Lawful development certificate for a proposed rear outbuilding & 1.8m timber fence at the rear.

Refusal CLU/D;Informatives 19-Dec-2017

“The proposal fails to comply with the provisions of Schedule 2, Part 1, Class E, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the applicant has not substantiated that the size of the proposed outbuilding nor its proposed use should be accepted as incidental to the enjoyment of a dwellinghouse given the footprint of the proposed outbuilding is marginally smaller than the footprint of the original dwelling and has not indicated the purpose of the outbuilding.”

P/17173/003 Lawful development certificate for a proposed single storey side & rear extension & rear outbuilding.

Refusal CLU/D;Informatives 29-Mar-2018

“The proposal fails to comply with the provisions of Classes A and E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as :

- i) Fails the limits contained within Class A (f) as the side extension extends beyond an original rear wall by more than 3m.*
- ii) fails to comply with the provisions of Class E, as the applicant has failed to make clear the justification for the scale and use of the building, as such it cannot be ascertained that the building is reasonably required for purposes incidental to the enjoyment of the dwelling”*

Y/17173/004 The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.95m, with a maximum height of 3.4m, and an eaves height of 3.0m.

To be determined

P/17173/005 Lawful development certificate for a proposed single storey side & rear extension & rear outbuilding.

To be determined

5.0 Neighbour Notification

5.1 98, High Street, Langley, Slough, SL3 8JS; 100, High Street, Langley, Slough, SL3 8JS

Consultation Responses

The initial consultation period expired on 4 May 2018. The following objections were received from 100 High Street:

- Impact upon the party wall agreement for the respective owners – **this is not a planning consideration, as this is a civil matter.**
- The plans do not show a proposed outbuilding – **the outbuilding is subject to a Certificate of Lawfulness application, separate from the current planning application.**
- Overcrowding, proximity to other buildings and dwellings, potential noise and unsightliness. Outbuilding should be placed at the bottom of the garden – **it appears that these comments relate to an outbuilding which is not the subject of the current application.**
- The extension projects 60cm and would represent intrusive and overbearing development in proximity to a side facing window – **the proposed rear extension increases the depth of the existing extension by 40cm, and will be 30cm from the edge of the window, the impact upon the window is addressed later.**
- The proposed layout of the extension is overcrowding and has not been subject to a survey – **the issue of a survey is a civil matter, and the layout is not a planning consideration as it is a typical layout of kitchen and dining area. The impact upon living conditions of both the application property and adjoin neighbour are discussed below.**
- The rear extension would cause overshadowing and loss of light to the side facing window – **this is addressed later.**

Due to amended plans received on 11 May 2018 neighbours were consulted for a further 14 days on 14 May 2018.

PART B: PLANNING APPRAISAL

6.0 Policy Background

6.1 The proposed development is considered having regard for National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document, December 2008, Policies H14, H15, EN1 and EN2 of the Adopted Local Plan for Slough 2004 and the Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010

6.2 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.

7.0 **Design and Street Scene**

- 7.1 The proposed extensions would not be visible from the street, as they would be constructed to the rear of the property; due to the particularly deep garden, and modest height of the extensions, there will be no impact on neighbours to the rear of the site.
- 7.2 The design of the side and rear extension is within acceptable height and depth limits, as recommended by the Council's Residential Extensions Guidelines. The removal of the separation distance between the respective side walls of the proposed extension and the neighbour's at 100 High Street has resolved future issues of maintenance access. The layout of the proposed extensions are not unusual, as they provide a dining area and enlarged kitchen (typical features of a residential property); the applicant is free to reorganise the layout of the ground floor without planning permission to provide such facilities as reasonably expected within a residential property.
- 7.3 The design and appearance of the proposed rear extension is considered to be in keeping with the design and appearance of the original dwelling and therefore is considered to be acceptable.
- 7.4 Given the reasons above the proposal would comply with Policies H12, H15, EN1 and EN2 of the Adopted Local Plan for Slough 2004 and the Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010

8.0 **Impact on Neighbours**

- 8.1 The neighbouring property, at no.100 High Street has two side facing windows on what appears to be the site boundary, which serve a habitable room. The closest window (window 1) to the proposed single storey rear extension will be approximately 30cm from the rear wall of the extension and the second window (window 2) will be over 2.5m from the rear wall. Both window 1 and window 2 are relatively high level so that the outlook from it will be less affected by the presence of the extension nearby.
- 8.2 The height of the rear extension and the orientation of the gardens will allow sunlight to enter window 1 for most of the day; from early morning until late afternoon/early evening

when the existing dwellings to the north west will cast a shadow; any loss of sunlight will be seasonal during winter months when the sun is lower in the sky and would not justify a refusal of planning permission in this regard.

- 8.3 The proposed rear extension will have no impact upon window 2 in terms of overshadowing, or outlook.
- 8.4 The proposed side and rear extension will be 1.15m closer to the neighbour at no.96 High Street, however due to the orientation of the rear garden, a lack of side facing windows at ground floor at the neighbouring property and the 3m high flat roof of the proposed extensions, there will be a minimal impact upon daylight/sunlight and the proposal will not create an overbearing addition to the host dwelling.
- 8.5 Given the reasons above, the proposal would comply with Policies H12, H15, EN1 and EN2 of the Adopted Local Plan for Slough 2004 and the Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010.

9.0 **Amenity Space**

- 9.1 EX48 of the Residential Extensions Guidelines requires a minimum garden depth of 15m (or 100 sqm) for a four bedroom house.
- 9.2 The property would retain a rear garden of over 50m deep, which is well above the minimum recommended, and the extensions would have no material impact upon the available private amenity space.

10.0 **Heritage**

- 10.1 The property sits within a series of terraced properties, nos. 94-100, (presumed Victorian) built around a courtyard; the row of terraces appears to have some heritage significance as it has been stated by the neighbour at no.100 that the site was the "Langley Hand Wash laundry" prior to becoming the 4 terraced residential properties as existing. It is likely that the extensive gardens of the row of terraces would have been used to dry laundry, with the hand laundry activity within the buildings.

The National Planning Policy Framework 2012 provides guidance for LPAs in determining planning applications for development at, or affecting, historic and heritage assets.

Paragraph 129 of the NPPF requires LPAs to "identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal."

Paragraph 131 of the NPPF requires that LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 135 of the NPPF requires that consideration is given to the effect of an application on the significance of a non-designated heritage asset, whether directly or

indirectly, with a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposed extension creates a side and rear extension of high quality design to replace an existing extension in disrepair. The heritage of the site will not be lost or indeed materially affected and there will be little or no impact upon the setting of the heritage asset, as the buildings and gardens surrounding the development will be retained and unaffected.

The proposed use of the extension will enhance the living conditions of the occupants, and will provide an ongoing use of the site.

10.0 **Car Parking**

10.1 There is no increase in bedrooms proposed therefore there is no change to the existing requirements for car parking.

11.0 **PART C: RECOMMENDATION**

11.1 On the basis of above assessment it is considered that planning permission should be granted as the proposed single storey side and rear extension is not considered to have any detrimental impact upon neighbouring amenity. It is recommended that the grant of planning permission be conditional upon the following conditions.

12.0 **PART D: LIST OF CONDITIONS**

1. The development hereby permitted shall be commenced within three years from the date of this permission.

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority:

(a) Drawing No.14-01, Rev P1, Dated 04/04/2018, Recd 05/04/2018

(b) Drawing No.14-02, Rev P3, Dated 11/05/2018, Recd 11/05/2018

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

3. All new external work shall be carried out in materials that match as closely as possible the colour, texture and design of the existing building at the date of this permission.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

INFORMATIVE

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.