

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: July 2020

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	
Ref	Appeal	Decision
P/17897/000	53, Randall Close, Slough, SL3 8RJ Construction of a single storey side extension with 3no. rooflights and front driveway with new dropped kerb.	Appeal Allowed/Permission Granted 3 rd July 2020
P/06671/003	28, Huntercombe Lane North, Slough, SL6 0LG Loft conversion with side dormers, front & rear rooflights and alterations to existing extension roof.	Appeal Dismissed 3 rd July 2020
P/05454/007	1, Bunten Meade, Slough, SL1 2YJ Construction of a first floor side extension	Appeal Dismissed 7 th July 2020
P/02745/003	7, Mina Avenue, Slough, SL3 7BY Demolition of existing dwelling and erection of 1no. detached, three bedroom dwelling with associated amenity space, parking and access.	Appeal Dismissed 10 th July 2020



Appeal Decision

Site visit made on 16 June 2020

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2020

Appeal Ref: APP/J0350/D/20/3247514

53 Randall Close, Slough, SL3 8RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Shailendra Vispute against the decision of Slough Borough Council.
 - The application Ref: P/17897/000 dated 3 October 2019, was refused by notice dated 5 February 2020.
 - The development proposed is single storey side extension and front driveway with dropped kerb access.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension and front driveway with dropped kerb access at 53 Randall Close, Slough, SL3 8RJ in accordance with the terms of the application, Ref: P/17897/000 dated 3 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawing: PL-01 Rev P2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

3. The appeal site is situated within a relatively high-density residential estate, mainly comprising modest, two-storey terraced houses of a mostly uniform design. It forms an end of terrace and occupies a triangular shaped corner plot within a cul-de-sac. It is at a right angle to an adjacent terrace of similar houses at Numbers 12-22 Randall Close.
4. The proposed extension would align with the front elevation of the house with a pitched roof which would follow the same roof angle of the main roof. Whilst the extension would be wide when compared with the original house, due to

- the width of the side garden, it would not appear overly large or cramped within the plot. Whilst the ridge line of the proposed extension would project slightly above the eaves of the main roof, the roof pitches would match, and this would make the extension harmonise with the existing property. Furthermore, the overall height of the proposed extension would be lower than the host property and as such it would not appear unduly bulky.
5. Due to the corner position of both the appeal property and the adjacent terrace, the proposed extension would not be widely visible from the surrounding area. It would not therefore be prominent, and it would not detract from the uniform appearance of the terrace. Furthermore, I observed on site that Numbers 25 and 27 Randall Close are both pitched roofed single-storey properties positioned at the end of two-storey terraced properties. These are similar in appearance but visually more prominent to the appeal proposal. As such, the proposed development would not be out of keeping with surrounding development.
 6. The Council officer's report refers to an appeal at 28 Parry Green South¹ where permission was refused for a wide single-storey side extension. However, I have been provided with very limited details of this. Furthermore, I note that the Inspector in that case identified that the extension would be clearly visible from the street, whereas in the scheme before me, due to the corner position of the property, this would not be the case. I do not therefore find this directly comparable to the scheme before me which I must, in any case, determine on its own individual planning merits.
 7. I conclude that the proposed development would not harm the character and appearance of the host property and the surrounding area. It would therefore comply with Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document 2008 and Saved Policies EN1, EN2 and H15 of the Local Plan for Slough 2004. These policies seek a high-quality design which respects its location and surroundings and is compatible with the existing building. It would also accord with the design objectives of the National Planning Policy Framework (the Framework). It would also comply with the guidance set out in the Residential Extensions Guidelines Supplementary Planning Document 2010 (SPD) which seeks to ensure side extensions do not detract from the original house or the character of the area.

Other Matters

8. There appears to be a matter of dispute between the appellant and a neighbouring landowner regarding garden boundaries. However, any ownership issues are a private matter between the relevant parties and not within my jurisdiction.

Conditions

9. The Council has proposed a number of conditions should the appeal be allowed. I have considered these and imposed them where they meet the tests set out in Paragraph 55 of the Framework, amending where necessary for the sake of simplicity, clarity and precision.
10. A condition specifying the approved plans is necessary as this provides certainty. A condition requiring materials to match those of the existing house

¹ APP/J0350/D/15/3137125

is necessary to protect the character and appearance of the host property and area.

Conclusion

11. For the reasons set out above, the appeal is allowed.

Rachael Pipkin

INSPECTOR



Appeal Decision

Site visit made on 16 June 2020

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2020

Appeal Ref: APP/J0350/D/20/3247278

28 Huntercombe Lane North, Slough, SL6 0LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jerry Singadia against the decision of Slough Borough Council.
 - The application Ref: P/06671/003 dated 2 October 2019, was refused by notice dated 28 November 2019.
 - The development proposed is described as 'loft conversion through the formation of side roof dormers and front and rear roof lights, with removal of rear extension tiled roof to a flat roof.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the host property and surrounding area; and
 - the living conditions of occupants of 26 Huntercombe Lane North, with particular regard to privacy and outlook.

Reasons

Character and appearance

3. Number 28 (No. 28) is a modestly sized, detached bungalow positioned at the corner of Huntercombe Lane North and Clare Road. The surrounding area is residential in character with a mix of single and two-storey properties some with accommodation within the roof space. Bungalow development prevails along the south side of Clare Road along which the appeal site has a long frontage.
4. The side dormer extensions due to their size and position, despite being set between the front and rear hipped roofs and below the ridge, would dominate the host property, appearing as incongruous and overly large additions that would fail to integrate with the traditional design of the bungalow. Both the hipped roof features and the symmetry of the existing building would be retained. However, the height and length of the dormers, would make them appear as bulky and disproportionate additions to the roof slopes that would sit

- awkwardly on the roof of the bungalow. The proposed materials and windows would match the existing building, however, whilst providing a consistent appearance, they would not disguise the large size of the dormers.
5. Whilst the property, being single storey and enclosed by a high hedge and fence, is relatively unobtrusive the roof is visible and prominent above the hedge and fence particularly as No. 28 sits forward of the building line along Clare Road. The addition of two large dormers to both main roof slopes would be very prominent on this corner plot, particularly the dormer on the Clare Road frontage which would be widely visible from the surrounding area. Whilst No. 28 has its principle elevation to Huntercombe Lane North, it is nevertheless visible within the street scene of Clare Road and consistent with the bungalow development characteristic of this street. In the context of this road, the roof dormers would be a jarring and incongruous element in the street scene.
 6. The surrounding development is not uniform in terms of design or height. The appeal property is different from those within the immediate vicinity along Huntercombe Lane North including Numbers 24, 26 and 30. However, with the exception of No. 26, these properties do not have prominent dormer roof extensions like the appeal proposal. No. 26 is a bungalow with an unusual asymmetric roof shape and a single side dormer. However, this is positioned significantly below the ridge and does not appear overly large in comparison to the property. Furthermore, it is not prominently visible from the surrounding area. These surrounding developments are not therefore directly comparable to the appeal scheme before me.
 7. I conclude that the proposed development would significantly harm the character and appearance of the host property and the surrounding area. It would therefore conflict with Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document 2008 (Core Strategy) and Policies EN1, EN2 and H15 of the Local Plan for Slough 2004 (Local Plan). These policies, together and amongst other things, seek a high-quality design which respects its location and surroundings and is compatible with the existing building. It would also not comply with the guidance set out in the Residential Extensions Guidelines Supplementary Planning Document 2010 (SPD) which requires side dormers to be well designed and not compromise a street's character.

Living conditions

8. The side dormer facing towards No. 26 would be directly opposite an existing rooflight in the steep roof slope of this property. It would be possible for people looking out of the dormer to gain a view directly into the neighbouring property which is only a short distance away. Whilst there is often a degree of overlooking within suburban settings, the proximity of the proposed windows to the window in No. 26 would result in an intrusive form of development and an unacceptable loss of privacy to this neighbour. The sloping nature of this window would not restrict views into this window.
9. The appellant has indicated that he would be willing to obscurely glaze these windows to overcome this harm if considered necessary. Given that the proposed bedrooms in the roof space would have an alternative outlook towards Clare Road, the use of obscured glazing would overcome the harm arising from any overlooking and I would have imposed a condition to secure this had the proposal been acceptable in other respects.

10. Whilst the proposed dormer would add to the bulk of the roof, the space between it and the rooflight to No. 26 would be sufficient to ensure that it would not have an overbearing impact on this neighbour.
11. The lack of objection from the adjoining neighbour cannot automatically be assumed to demonstrate support for the scheme and does not justify the proposal. I therefore give this no weight.
12. I conclude that the proposed development would not harm the living conditions of occupants of No. 26 with particular regard to privacy and outlook. It would therefore accord with Core Policy 8 of the Core Strategy and Policies EN1, EN2 and H15 of the Local Plan. These policies, together and amongst other things, seek a high-quality design which respects and does not adversely affect the amenities of adjoining occupiers. It would also comply with the guidance set out in the SPD which sets out that window positions should not be overbearing and should avoid direct overlooking of neighbouring properties.

Other Matter

13. The appellant has indicated that a fall back position exists in the form of permitted development rights which would allow him to build one of the proposed dormers or, alternatively to construct two smaller ones. Whilst this may be the case, any such scheme as outlined by the appellant would need to be smaller than the appeal proposal before me and would be likely to have a lesser impact on character and appearance than the scheme before me. I therefore give this very little weight.

Planning Balance and Conclusion

14. The proposal would not harm the living conditions of neighbouring occupiers at No. 26. However, I have found that it would cause significant harm to the character and appearance of both the host property and the surrounding area. I attach significant weight to this finding which is not altered or outweighed by my conclusions on the other issues. I therefore conclude that the appeal should be dismissed.

Rachael Pipkin

INSPECTOR



Appeal Decision

Site visit made on 16 June 2020

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th July 2020

Appeal Ref: APP/J0350/D/20/3247187

1 Bunten Meade, Slough, SL1 2YJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Singh against the decision of Slough Borough Council.
 - The application Ref: P/05454/007 dated 12 November 2019, was refused by notice dated 6 January 2020.
 - The development proposed is described as a 'first floor side extension'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the host property and the surrounding area; and
 - the living conditions of occupants of 292 – 298 Cippenham Lane with particular regard to outlook.

Reasons

Character and appearance

3. Number 1 Bunten Meade (No. 1) is a modest two-storey property forming the end of a short terrace of houses. It has been previously extended to the rear and side with a large single storey pitched roof extension. The surrounding area is characterised by short terraces of two and three-storey residential development, arranged as houses and small blocks of flats, and laid out in a spacious pattern set back from the footway behind front drives and grass verges. This gives the area an open and spacious character.
4. The proposed extension would extend above the existing side extension with a set-back approximately 1 metre from the front and side elevations and a pitched roof set slightly below the main roof ridge. This would make it appear subordinate to the existing property. However, this would not follow the advice set out with the Residential Extensions Guidelines Supplementary Planning Document 2010 (SPD). This sets out that side extensions to end of terrace properties should generally take the form of a continuation of the terrace rather than seeking to be subordinate.

5. The inset first floor would not align with the front elevation and as such would not integrate with either the existing extension or the terrace as a whole. As such it would appear incongruous and incompatible with the existing built form. The additional bulk at first floor would also reduce the space between the side elevation of No. 1 and the rear elevation of the adjacent two-storey block of flats at 292-298 Cippenham Lane (Nos. 292-298). This would erode the open and spacious character of the area. Whilst the extension may be built to high standards with quality and matching materials, this would not overcome the harm to both the host property and the surrounding area that I have identified.
6. I conclude that the proposed development would harm the character and appearance of the host property and the surrounding area. It would therefore conflict with Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document 2008 (Core Strategy) and Policies EN1, EN2 and H15 of the Local Plan for Slough 2004 (Local Plan). These policies seek a high-quality design which respects its location and surroundings and is compatible with the existing building. It would also not comply with the design objectives of the National Planning Policy Framework (the Framework). It would also not accord with the guidance set out in paragraphs 5.14 and 5.15 of the SPD which seeks to protect the space and visual breaks between terraces.

Living conditions

7. The proposed extension would be to the rear of Nos. 292-298, separated from these by the side passage to No. 1 and the area of communal garden to the flats. Within the rear elevation of this block, there is a central, large glazed stairwell with smaller windows serving each of the flats either side.
8. The proposed extension would increase the height and bulk of the building and reduce the space between No. 1 and the first-floor windows in the rear elevation of Nos. 292-298. Due to its proximity to these windows, it would restrict outlook resulting in an increased sense of enclosure for occupants.
9. This leads me to conclude that the proposed development would harm the living conditions of occupants of Nos. 292-298 with particular regard to outlook. It would therefore conflict with Core Policy 8 of the Core Strategy and Policies EN1, EN2 and H15 of the Local Plan which seek development that does not adversely affect the amenities of adjoining occupiers. It would also similarly not comply with the design objectives of the Framework nor with the guidance set out in the SPD which seeks to protect the space between properties to ensure extensions do not have an overbearing impact on neighbouring properties.

Other matters

10. The proposed development would provide the appellant with better living accommodation. However, this personal benefit is not sufficient to outweigh the harms I have identified.

Conclusion

11. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin,

INSPECTOR



Appeal Decision

Site visit made on 27 May 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2020.

Appeal Ref: APP/J0350/W/19/3243170
7 Mina Avenue, Slough SL3 7BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs Sumeet Pal Singh Mann against Slough Borough Council.
 - The application Ref P/02745/003, is dated 30 May 2019.
 - The development proposed is for the replacement of an existing dwelling with a new detached house with ancillary facilities.
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Decision

1. The appeal is dismissed, and planning permission is refused.

Procedural Matters

2. The Council has assessed the application on the basis of the original plans submitted. However, the appeal submission includes two sets of revised plans, referred to by the appellant as Revision P2 and P3. The Council did not consult on those further revisions.
3. Those plans, like the original plans, also show the footprint and rear/front elevations of an approved dwelling at the neighbouring property, No 9 Mina Avenue (No 9). But unlike the original plans, they also show the silhouette of the dwelling's existing footprint and rear/front elevations. The Council considered that the revised drawings were inaccurate and confusing for interested parties and members of the public.
4. Notwithstanding the Council's position on the accuracy of the revisions, in the interests of fairness I am obliged to determine the appeal on the basis of the plans considered by the Council. Not to do so could potentially prejudice the interests of interested parties as I have insufficient evidence to suggest that the implications of changes to the scheme have been fully considered. Even if some respondents may appear to be aware of the proposed revisions, I cannot be entirely certain there are not interested parties who did not comment on the basis of being content with the scheme as submitted and are unaware of the proposed changes.
5. The appellant has requested that all three proposal options are assessed as part of this appeal, with the original plans being the preferred option. However, the appeals procedure guide¹ states that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which

¹ Annex M, M.2.1, The Planning Inspectorate Procedural Guide, Planning Appeals – England, August 2019

interested people's views were sought. I have therefore determined this appeal on the basis of the original plans submitted.

6. I have sought clarification regarding the addresses of properties referred to in the Council's statement. Following their response, I am now satisfied that the correct properties have now been referred to and relate to those I observed on my site visit.

Background and Main Issues

7. This appeal has been lodged following the Council's failure to determine the application within the relevant timescale. The Council in their submission include reasons for refusal had they been in a position to determine the application. These include reference to those development plan policies that the Council considers to be relevant to each of the refusal reasons put forward.
8. The main issues are: (i) the effect of the proposed development on the character and appearance of the area; (ii) the effect of the proposed development on the living conditions of neighbouring occupiers at Nos 5 and 9 Mina Avenue, with particular regard to outlook and natural light; and (iii) whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to outlook and natural light.

Reasons

Character and Appearance

9. The appeal property comprises a traditional bungalow located on Mina Avenue. It is flanked by the hipped roof bungalow at No 9, and No 5 Mina Avenue (No 5), a detached two storey dwelling characterised by a hipped roof and a front projecting double height bay window with gable roof.
10. I have been referred to a planning permission for a replacement two storey dwelling at No 9. At the time of my site visit there was no suggestion that this development had been implemented nor any indication that works had commenced. Furthermore, there is no information on when the permission expires and whether there are any pre-commencement conditions that would need to be discharged.
11. Mina Avenue largely comprises detached two storey dwellings set back from the road. The dwellings are evenly spaced with side pathways and narrow driveways occupying the intervening spaces. Houses along the street have unifying architectural features such as bay windows and projecting gables, however, they each have individual designs and incorporate a variety of roof shapes. The dwellings are relatively consistent in terms of their width, height, proportions and roof span. I consider that the variations in the appearance of dwellings along with the relative consistency in their proportions, contribute positively to the character of the street.
12. The roof of the proposed dwelling would have an excessive span that would be seen from Mina Avenue to project deep into the appeal site. The sides of the roof would meet to form a flat roof crest and when combined with its sizeable width and length the roof would display a bulky and angular profile when viewed from the street. The proposed roof's design and scale would contrast markedly to the roofs of the existing dwellings at No 5 and No 9, along with a large majority of those in the street, which have more reduced proportions. Consequently, the proposed development would have a discordant and unsettling presence in the street that

would fail to respect the prevailing proportions of existing dwellings that contribute positively to the street's character.

13. I acknowledge that the approved, but unbuilt, replacement dwelling, at No 9 has a large asymmetrical roof. However, even if this approved dwelling were to be built, the proposed development at the appeal property would incorporate more dominant proportions that would be harmful in the context of the street.
14. The two-storey porch that would project from the front elevation of the proposed dwelling is large in scale, however, there are other dwellings in the street that incorporate similar front gable additions in terms of their appearance, height and proportions. Therefore, I have not found this part of the proposed dwelling to contribute to the harm I have already referred to.
15. The proposed replacement dwelling would be sited marginally further forward and closer to the road than the existing dwelling at the appeal site. Nevertheless, it would maintain the staggered building line (with Nos 5 and 9) albeit partially broken by the proposed front porch feature. Consequently, I have found there to be no unacceptable harm in respect of the proposal's siting and position in the context of the area's prevailing pattern of development.
16. As discussed, there are aspects of the proposal including its siting and the design and scale of the front porch that are considered acceptable in the context of the character and appearance of Mina Avenue. However, the scale and design of the roof, would result in the proposed dwelling having an unacceptable impact in the street.
17. I conclude that the proposed development would cause material harm to the character and appearance of the area contrary to the requirements of Core Policies CP1, CP4 and CP8 of the Slough Local Development Framework Core Strategy (2006-2026) (the SCS) and Policies EN1 and H13 of the Slough Local Plan (Adopted 2004) (the SLP), which seek, amongst other matters, to ensure that development respects and is compatible with its surroundings in terms of design and scale. The proposal would also be contrary to the Framework which requires development proposals to be sympathetic to local character.

Effect on living conditions of existing neighbours

18. The proposed dwelling would be positioned close to the side boundary with the existing dwelling at No 9, leaving only a narrow gap. No 9 has a patio and garden area to its rear that would be separated from the appeal property by a boundary fence. A tree and an existing single storey store building are also positioned close to the boundary with the appeal property. Despite the presence of these features the proposed dwelling would be seen to rise considerably above the boundary when viewed from the rear of No 9 while incorporating a substantial rearward projection. The proposed dwelling's height, bulk and closeness to the private amenity area of No 9 would have an oppressive and overwhelming impact upon existing occupiers of the dwelling such that it would lead to a substantial loss of outlook and an unacceptable sense of enclosure when viewed from this space.
19. The existing appeal bungalow is sited in close proximity to the kitchen and conservatory windows in the side and rear elevation of the bungalow at No 9. Despite this, these neighbouring windows receive a reasonable level of natural light. Furthermore, the existing appeal bungalow's sloping roof and rear single storey extension affords No 9's kitchen and conservatory a reasonable level of outlook beyond the envelope of the appeal bungalow. The proposed development would extend excessively beyond these neighbouring windows into the rear garden of the appeal property. This level of projection combined with the proposal's

height, mass and close proximity would significantly enclose the space around the kitchen and conservatory windows, such that it would have a domineering effect on the outlook of neighbouring occupiers from these rooms. Moreover, given the orientation of the windows in relation to the proposed development, it would adversely diminish the level of natural light they would receive, resulting in a poor quality living environment for neighbouring occupiers.

20. The appellant indicates that the proposed development would be sited approximately 3m behind the front building line of the existing bungalow at No 9. This would ensure that the forwardmost side window and the front window serving the sitting/dining room of No 9 would continue to receive an acceptable level of natural light, while the outlook from the room would not be significantly harmed. The rearmost side window of the sitting/dining room would likely face the proposed dwelling, thus diminishing the outlook and reducing the amount of natural light the room would receive. However, this is already diminished by the existing side flank elevation of the existing bungalow at the appeal property, and the proposal would not significantly add to this.
21. The appellant and the Council take a different view on whether the proposed two storey portion of the dwelling would breach a 45-degree line when taken from the nearest habitable room window on No 5's first floor. Even if it was measured from the window closest to the proposed dwelling, as stated by the Council, the proposal's first floor would likely result in a modest breach of the 45-degree line given that it would not excessively project beyond this point. Furthermore, I observed during my site visit that the neighbouring window in question has an orientation that would continue to receive acceptable levels of natural light if the proposal were allowed. Consequently, it would not result in an unacceptable loss of natural light or enclose space such that neighbouring outlook to the window in question would be adversely harmed.
22. In terms of the impact of the proposal on neighbouring living conditions, whilst there would be no adverse harm to outlook and natural light at No 5 and to the sitting/dining room of No 9, I have nonetheless found that the outlook and natural light to the rear amenity space, kitchen and conservatory of No 9 would be harmed.
23. Accordingly, the proposed development would have an adverse impact on the living conditions of neighbouring occupiers of No 9 Mina Avenue, in terms of their outlook and natural light. The proposal would therefore be contrary to Policy H13 and EN1 of the SLP and Policy CP8 of the SCS which, amongst other matters, require development proposals to have regard to the relationship with neighbouring properties and to protect the amenity of adjoining occupiers. In terms of the Framework, the proposed development would fail to comply with the requirement for proposed developments to have a high standard of amenity for existing occupiers.
24. The Council in their statement referred to the proposed development being in conflict with Policies CP1 and CP4 of the SCS. However, these do not relate specifically to the protection of living conditions, and therefore I have not referred to these in my conclusion on the main issue.

Effect on living conditions of future occupiers

25. The two rooms in the roof space of the proposed development would each be served by four windows providing a good level of natural light to enter the internal space. Although some of these windows would be obscure glazed, the front and rear facing windows are not, and these would provide occupiers with an acceptable

level of outlook facing the street and rear garden. Similarly, I am satisfied that the proposed ground floor living room would be adequately served by windows such that acceptable levels of natural light would enter the space, while the front facing window would provide a pleasant outlook onto the street.

26. I acknowledge that the side window serving the proposed playroom would have its outlook and natural light diminished by the presence and close proximity of the side boundary fence and flank elevation of No 5. However, the room would also be served by a secondary, albeit smaller rear window that would be orientated to allow more natural light into the room, as well as provide occupiers with an improved outlook that would be acceptable.
27. The first-floor study window would be served by an obscure glazed window facing No 9. Although the outlook and level of natural light would be diminished by the type of glazing, the window is of an acceptable size to allow a reasonable degree of light to enter. On balance I do not consider that the living conditions of those using the room for its intended purpose would be severely diminished to the extent that they would be adversely harmed.
28. Therefore, the proposed development would provide acceptable living conditions for future occupiers in terms of outlook and natural light. On this basis the proposal would accord with the Framework which requires proposed developments to have a high standard of amenity for future occupiers.
29. In concluding on this main issue, I have not referred to the SLP policies the Council based its concerns on, as they contain no specific requirements for the protection of future occupiers' living conditions. Similarly, I have not referred to the Council's Residential Extensions Supplementary Planning Document as this specifically relates to house extensions.

Other Matters

30. I acknowledge the possibility that the approved, but as yet, unbuilt dwelling at No 9 could replace the existing bungalow. From the limited information I have, it would extend deeper into the site and have a different internal room layout. It would also, according to the appellant, project beyond the rear wall of the appeal proposal into the garden area I have referred to above. However, I have no information before me indicating when that dwelling would be built, nor is there any mechanism in place that would require the dwelling to be built in advance of the appeal proposal.
31. Even, with the fallback position of the dwelling at No 9 being built, coupled with the possibility that I was to allow the appeal proposal, there could still be a period of time when the living conditions of occupiers of the existing dwelling at No 9 would be harmed by the appeal proposal. Moreover, it would be entirely possible that the existing dwelling at No 9 would remain and that the extant permission would not be implemented.
32. The appellant raises concerns that if the appeal is not allowed then the approved scheme at No 9, if built, would harm the amenities of occupiers of the appeal dwelling. On this matter and notwithstanding my earlier comments, I acknowledge that there is a possibility of the approved scheme at No 9 being built, however, I am unable to comment on the specifics of that approval's effect on living conditions as I have not been presented with the full details of that scheme. In any event each case is determined on its own merits.
33. Reference has also been made to an 8m rear extension approved at the appeal dwelling under the prior approval process, however I have no specific details of this

case, nor did I see any evidence of this extension at the appeal site. Nevertheless, the prior approval process sets limits as to the scale of rear additions, and it is likely that the two-storey scale of the appeal proposal would be infinitely greater than what would be permissible under the prior approval process.

Planning Balance

34. The Council accept that they do not have an up to date 5-year housing land supply. Therefore, Paragraph 11 of the Framework advises that where policies relating to the supply of housing are considered to be out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole.
35. In relation to the sustainable development objectives in the Framework, I acknowledge that the appeal scheme could be located in an existing built up area with good accessibility to various modes of transport, services and facilities. I accept that it would also result in a larger dwelling that would contribute to the variety of the local housing stock.
36. However, new housing should incorporate good design that respects the prevailing character of an area, but this proposal is considered harmful in that regard. Whilst I accept that the Framework supports small scale development, the proposal would not result in a net increase in housing given that there is already a bungalow on the site. The economic benefits resulting from the construction period and spending of future occupiers would be minimal. Moreover, the harm to the living conditions of neighbours would conflict with the environmental and social objectives of achieving sustainable development.
37. Overall, whilst I have given some limited weight to the benefits of the development in my decision, in this case, I consider that the harm to the area's character and appearance, the living conditions of neighbours, and the associated conflict with the development plan, significantly and demonstrably outweigh the identified benefits when assessed against the Framework as a whole. Therefore, the proposal would not be a sustainable form of development, and the conflict with the development plan is not outweighed by other considerations including the Framework.

Conclusion

38. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed, and planning permission refused.

R. E. Jones

INSPECTOR