

## SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: January 2021

### 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>Decision</b>  |
|-------------|--|--|
| Y/17684/001 | 545, Bath Road, Slough, SL1 6AB<br><br>The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, with a maximum height of 3.59m, and an eaves height of 2.8m        | Appeal Dismissed<br><br>30 <sup>th</sup><br>November<br>2020 |
| P/15307/002 | 53, Lansdowne Avenue, Slough, SL1 3SG<br><br>Lawful development certificate for an existing change of use from dwellinghouse (Use Class C3) to a House of Multiple Occupation (Sui Generis)                                      | Appeal Dismissed<br><br>1 <sup>st</sup><br>December<br>2020  |
| P/13413/004 | Wisteria, Bath Road, Colnbrook, Slough, SL3 0HZ<br><br>Construction of a first floor side extension, part single storey, part two storey rear extension and new outbuilding at rear of the garden for use as a gym and day room. | Appeal Dismissed<br><br>3 <sup>rd</sup><br>December<br>2020  |
| P/03147/002 | 13, York Avenue, Slough, SL1 3HP<br><br>Change of use from existing dwelling house in to 7 bed HMO (Retrospective)   | Appeal Dismissed<br><br>7 <sup>th</sup><br>December<br>2020  |
| P/18028/000 | 7, Amberley Road, Slough, SL2 2LR<br><br>Conversion of garage into habitable room and construction of a single storey front extension  | Appeal Dismissed<br><br>7 <sup>th</sup><br>December<br>2020  |
| P/12953/004 | 10, Stewart Avenue, Slough, SL1 3NH<br><br>Construction of a single storey front and rear extension, part single storey, part two storey side extension and and new dormer to the rear   | Appeal Dismissed<br><br>8 <sup>th</sup><br>December<br>2020  |





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## Appeal Decision

Site visit made on 20 October 2020 by Scott Britnell MSc FdA MRTPI

**Decision by R C Kirby BA(Hons) DIPTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 November 2020

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**Appeal Ref: APP/J0350/D/20/3250114**

**545 Bath Road, Slough SL1 6AB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (as amended).
  - The appeal is made by Mr Geoff Lock against the decision of Slough Borough Council
  - The application Ref Y/17684/001, dated 10 September 2019, was refused by notice dated 3 February 2020.
  - The development proposed is ground floor rear extension and all associated works.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Procedural Matters

3. A determination as to whether prior approval is required is sought in this matter for the erection of a single storey rear extension. The extension would extend 4.5 metres beyond the rear wall of the dwelling, would have a maximum height of 3.59 metres and eaves of 2.8 metres (these dimensions have been taken from the application form and are not disputed). I observed at my visit that the proposal has been commenced with the walls and roof structure in place.

### Main Issue

4. I consider that the main issue in this appeal is whether or not the proposed development would comprise development permitted by Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (as amended) (GPDO).

### Reasons for the Recommendation

5. In cases where it is proposed to build an extension under Schedule 2, Part 1, Class A of the GPDO, following the partial demolition of the dwellinghouse, the part to be demolished should be considered as part of the original dwelling. The existing elevations and floor plans show a single storey flay roofed projection to the rear of the appeal dwelling. This element, which has now been removed,

appears to have been part of the original dwelling house and there is no evidence before me to suggest otherwise. The proposed extension must therefore be assessed on the basis that it would also extend beyond a wall forming a side elevation of the original dwellinghouse.

6. Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the GPDO states that development is not permitted if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse. As the proposed extension would extend across the entire width of the appeal dwelling, the proposal cannot benefit from permitted development.
7. In any event, the proposed development has already been commenced and prior approval cannot be granted for development that has already begun, whether or not it is wholly or partially completed. As such, even if the proposed extension were to qualify as permitted development, prior approval could no longer be granted for the proposal.

### **Conclusion and Recommendation**

8. For the reasons given above, I recommend that the appeal should be dismissed.

*Scott Britnell*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

9. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*RC Kirby*

INSPECTOR



## Appeal Decision

Site visit made on 12 November 2020

**by Simon Hand MA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 01 December 2020**

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### **Appeal Ref: APP/J0350/X/20/3251303 53 Lansdowne Avenue, Slough, SL1 3SG**

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
  - The appeal is made by Mr Faz Hassan against the decision of Slough Borough Council.
  - The application Ref P/15307/002, dated 21 January 2020, was refused by notice dated 9 March 2020.
  - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
  - The use for which a certificate of lawful use or development is sought is an existing change of use from a dwellinghouse (Use Class C3) to a House of Multiple Occupation (Sui Generis).
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### **Decision**

1. The appeal is dismissed.

### **Costs**

2. An application for costs was made by the Council and is the subject of a separate letter.

### **Preliminary Matters**

3. The appeal is for a Lawful Development Certificate. This is purely a question of whether the change of use described in the application is lawful. Matters of planning policy or the merits of the change of use are not relevant to my consideration of the case.
4. The application concerns a change of use from a C3 dwellinghouse to a sui generis HMO, although it is clear from the appellant's representations that an HMO use had begun in 2012, that does not however affect my consideration of whether a sui generis HMO was lawful on 21 January 2020.

### **Reasons**

5. On visiting the property I could see it was well maintained and set out as an HMO. There was a large shared kitchen and separate shower room and toilet on the ground floor and a further bathroom on the first floor. There were 6 bedrooms, each currently with a single occupant, although the appellant has an HMO licence for 8 people, and the fact there are currently only 6 is just a coincidence as the appellant is hoping to have 8 occupants. The property is clearly in use as an HMO.

6. The application is to determine whether a sui-generis HMO would be lawful and the answer is no. Ordinarily planning permission is required for a change of use from a C4 HMO to a sui generis HMO. The difference between 8 occupants and 6 is usually considered to be material, there are more comings and goings and greater pressure on the facilities within the dwelling as well as a greater impact on the amenity of neighbours, demand for parking etc. No argument has been made that this sui-generis HMO is any different and no evidence has been provided at all to suggest why the material change of use from a C4 use to a sui-generis HMO would be lawful.
7. This is presumably because the matter was fully aired in a recent appeal<sup>1</sup> (issued in July of this year), where the Inspector found the change from a 6 person HMO to a sui generis HMO with 8 people was a substantial one. The appeal was dismissed because of the loss of a family dwelling and impact on neighbours' amenities.
8. The time period for immunity from enforcement for a material change of use from a C4 use to a sui generis use is 10 years, and the HMO use (in whatever form) only began in 2012 so the 10 year period has not been exceeded.

*Simon Hand*

Inspector

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<sup>1</sup> APP/J0350/W/20/3245018



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## Appeal Decision

Site visit made on 30 November 2020

**by James Taylor BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 03 December 2020**

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**Appeal Ref: APP/J0350/D/20/3256925**

**Wisteria, Bath Road, Colnbrook, Slough SL3 0HZ**

- 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 K Hafeez against the decision of Slough Borough Council.
  - The application Ref P/13413/004, dated 4 February 2020, was refused by notice dated 6 April 2020.
  - The development proposed is described as 'proposed part single part two storey side and rear extension and outbuilding'.
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### Decision

1. The appeal is dismissed.

### Preliminary matter

2. The proposal includes a number of elements, with extensions to the side and rear, and an outbuilding. The Council have not raised an issue with the outbuilding and rear extensions, and state that extant planning approval exists for these. Based on the evidence provided I have no reason to reach a different conclusion.

### Main Issues

3. Therefore, the main issues are the effect of the proposed first floor side extension on:
  - i) the living conditions of the occupiers of 'Littlecot' with particular regard to outlook; and
  - ii) the character and appearance of the host building and surrounding area.

### Reasons

#### *Living conditions*

4. The appeal site is occupied by a 2-storey detached dwelling with single storey elements to the west and rear elevations. Adjacent to the appeal site is 'Littlecot', a detached single storey dwelling. This has three windows and a partially glazed entrance door on its east elevation. These would face directly onto the proposed first floor side extension.
5. The additional mass and bulk at first floor level would bring the built form closer to 'Littlecot'. Due to the mass, bulk and proximity of the extension the

proposal would be visually intrusive from the side elevation windows of 'Littlecot'. This would result in a significant overbearing impact, harmful to the outlook of the occupiers of the neighbouring property from a significant number of windows. Whilst the extension would be set away from the boundary with reduced eaves and ridge, this would not entirely mitigate the sense of enclosure.

6. Therefore, in conclusion on this main issue the proposed first floor side extension would harm the living conditions of the occupiers of 'Littlecot' with particular regard to outlook. As such, the proposal would be contrary to Policies H15, EN1 and EN2 of the Local Plan for Slough, Adopted 22<sup>nd</sup> March 2004 (LP) and paragraph 127 of the National Planning Policy Framework (the Framework). These local and national policies seek to ensure high quality design that protects the living conditions of adjoining occupiers by ensuring a compatible relationship between nearby properties is provided.

#### *Character and appearance*

7. Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, Adopted 16<sup>th</sup> December 2008 (CS) and Policy EN1 of the LP seek high quality design that respects its location and surroundings. Pursuant to this I have had careful regard to the Council's guidance, in particular Chapter 5 of the Slough Local Development Framework, Residential Extensions Guidelines Supplementary Planning Document, Adopted January 2010 (SPD). However, the document is clear at paragraph 1.2.7 that each case needs to be assessed on its own merits as every circumstance cannot be foreseen.
8. The proposed first floor side extension would be set back from the front elevation of the building, which includes a projecting two-storey bay window. It would be set in from the side boundary of the appeal site and the existing ground floor. Furthermore, it would be clearly lower in height than the main body of the house. As such, despite its slightly unusual roof form, with reduced eaves, the proposal would appear subservient to the host building. Furthermore, views of the proposal are filtered by the existing landscaping that is subject to protection<sup>1</sup>. Given this and the wide range of architectural style in the vicinity, the proposal would satisfactorily assimilate into its location and surroundings.
9. Therefore, in conclusion on this main issue the proposed first floor side extension would not harm the character and appearance of the host building and surrounding area. As such, in this regard the proposal would not conflict with Core Policies 8 and 9 of the CS, Policy EN1 of the LP, paragraph 127 of the Framework, or guidance within the Council's SPD. However, this does not mitigate my conclusions on the first main issue.

#### **Conclusion**

10. For the reasons given above I conclude that the appeal should be dismissed.

*James Taylor*

INSPECTOR

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<sup>1</sup> The Urban District Council of Staines: Tree Preservation Order No. 29





## Appeal Decision

Site visit made on 1 December 2020

**by L Page BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7<sup>th</sup> December 2020

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**Appeal Ref: APP/J0350/W/20/3245330**

**13 York Avenue, Slough SL1 3HP**

- 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 Faz Hassan against the decision of Slough Borough Council.
  - The application Ref P/03147/002, dated 24 January 2019, was refused by notice dated 2 December 2019.
  - The development is change of use from existing dwellinghouse into 7 bed HMO.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The development has been carried out and therefore planning permission is being sought retrospectively. The appeal has been determined using the plans submitted to the Council as they provide the basis for which planning permission is being sought.

### Main Issues

3. The main issues are whether the development;
  - (a) accords with the development strategy for the area, in relation to the type of housing;
  - (b) has an intensity that is appropriate in relation to the character of the area and living conditions of neighbouring occupiers; and
  - (c) provides sufficient levels of parking to preserve highway safety.

### Reasons

#### *Type of Housing*

4. The site is located in an area comprised predominantly of dwellinghouses along York Avenue. Core Policy 4 of the Slough Local Development Framework Core Strategy 2008 is clear in that changes of use should not result in the net loss of family housing i.e. dwellinghouses occupied as a single household. This is on the basis that there is an existing shortage of such housing in the area, resulting in overcrowding. The development is therefore in conflict with policy insofar as it has resulted in the loss of such housing at the site. Even though the physical nature of the property may not change to any great extent, meaning it could revert to a dwellinghouse in the future, the change of use would still preclude the site being used as a dwellinghouse and consequently there would still be a loss of housing in this context.

5. Consequently, and overall, the development does not accord with the development strategy for the area and conflicts with Core Policy 4 of the Slough Local Development Framework Core Strategy 2008. Among other things, the policy seeks to ensure that areas in Slough retain sufficient levels of housing to meet population growth demands.

#### *Character*

6. Saved Policy H20 of the Slough Local Plan 2004 is clear that development involving houses in multiple occupation will not be permitted unless the use of the site does not result in loss of amenity of adjoining occupiers. In this regard, the character of the site should not change to the extent that the living conditions of neighbouring occupiers, which in this case typically comprise dwellinghouses occupied by single households, are harmed.
7. The development delivers seven bedrooms. It is not clear how many bedrooms were contained at the site when it was in use as a dwellinghouse, but nonetheless the development would still deliver a material increase in the intensity of the use by virtue of being a change of use to a large house in multiple occupation, which is implicitly different in its character compared to a dwellinghouse illustrated by the fact they share different use classes.
8. Each of the seven bedrooms could be occupied by separate individuals living as different households. This in turn could generate seven different social networks and usage habits of the site. This is unlikely to be comparable with a dwellinghouse occupied as a single household, where the social networks are more likely to be mutual between occupants. For example, two parents and their four children living as a single household would have a single extended family network, whereas seven separate households would have seven separate extended family networks potentially visiting the site.
9. Consequently, a large house in multiple occupation is likely to generate comings and goings in excess of a dwellinghouse occupied by a single household, changing the character of the site to the extent where there are levels of additional disturbance in the immediate vicinity. As a result of this change in character and the increased levels of disturbance, the living conditions of neighbouring occupiers would be harmed.
10. Overall, the development is not of an appropriate intensity and changes the character of the site to the extent it harms living conditions of neighbouring occupiers. It therefore conflicts with Policy H20 of the Slough Local Plan 2004, which among other things seeks to ensure that development involving houses in multiple occupation does not result in the loss of neighbouring amenity.

#### *Highway Safety*

11. Saved Policy H20 of the Slough Local Plan 2004 is clear that development involving houses in multiple occupation will not be permitted unless appropriate levels of on-site parking spaces are provided. The Council contend that the four parking spaces fall short of the requirement of one parking space per bedroom, and therefore the development should provide seven parking spaces in order to be compliant. However, the integrated transport strategy is not before me and therefore I cannot verify these parking requirements.

12. Nonetheless, in a similar context to the development's effects on the character of the area, there would be a material increase in the intensity of the use at the site. Correspondingly, there would be a representative increase in parking demand in the immediate vicinity. During my site visit, it was apparent that the area was dominated by parking for private vehicles, and in terms of making a qualitative assessment, there does not appear to be sufficient levels of parking to absorb the quantum of parking demand that is likely being generated by the development.
13. The site may be located to good public transport links, and other sustainable means of travel such as bicycle storage may exist at the site, however there is no evidence to suggest that occupants would be required to use these services or that they are more convenient than the private car to help encourage more sustainable forms of transport. Consequently, there is no evidence that parking demand can be adequately mitigated or that parking stresses would not be generated. Consequently, there is a real risk of indiscriminate parking along the highway to the detriment of highway safety.
14. Overall, the development fails to provide sufficient levels of parking to preserve highway safety and therefore conflicts with Saved Policy H20 of the Slough Local Plan 2004. Among other things, the policy seeks to ensure development comes forward with on site parking, pursuant to maintaining highway safety.

### **Other Matters**

15. It is acknowledged that the internal specification of the property may meet the space standards required. However, this caters for the living conditions of occupiers and does not mitigate the effects of increased disturbance on neighbouring occupiers generated by a change in character. In a similar context, although there may have been no objections from neighbouring occupiers, a lack of objection does not mean the development is otherwise acceptable. The development has been assessed in planning terms, in accordance with the development plan and the evidence submitted.
16. Notwithstanding any permitted development rights that may exist, the development does not fall within the use class of a small house in multiple occupation. Consequently, even though the number of bedrooms would increase by a seemingly limited number, the separate use classes are indicative of the thresholds that mark a change in a uses character, which has been assessed accordingly under the appeal.

### **Conclusion**

17. For the reasons given, the appeal is dismissed.

*Liam Page*

INSPECTOR



## Appeal Decision

Site visit made on 1 December 2020

by **Peter Mark Sturgess BSc (Hons), MBA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: Monday, 07 December 2020

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**Appeal Ref: APP/J0350/D/20/3260324**

**7 Amberley Road, Slough, SL2 2LR**

- 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 J Harbour against the decision of Slough Borough Council.
  - The application Ref P/18028/000, dated 25 March 2020, was refused by notice dated 9 July 2020.
  - The development proposed is single storey front extension and conversion of existing garage to habitable use.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are;
  - The effect of the development on the character and appearance of the area; and
  - whether the development makes adequate provision for on-site parking.

### Reasons

#### *Character and appearance*

3. The appeal property is an end terrace house in a terrace of four. All the houses in the terrace have a single storey front projection which contains a garage. All the projecting garages are of a similar size and shape and are joined on to their neighbour. The houses have gardens and parking areas to their fronts.
4. The front projections add to the rhythm of the terrace and their uniform width, when viewed from Amberley Road and from the spur road and footpath opposite, contribute to the character and appearance of the area. The widening of the garage would disrupt this rhythm of the terrace by changing the proportions of the front projection. As a consequence, the appeal proposal would be viewed as an incongruous and prominent addition to the front of the dwelling which would harm the character and appearance of the area.
5. The development plan is comprised of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document (CS) and the Local Plan for Slough from March 2004 (LP). Both these plans pre-date the current version of the National Planning Policy Framework (the Framework).

6. The relevant policy of the CS is Core Policy 8 which seeks, amongst other things, to promote a high quality of development in the Borough. The relevant policies of the LP are EN1, EN2 and H15 which all require new development, amongst other things, to be of a high standard of design and be compatible with their surroundings.
7. Despite their age, the policies relevant to this appeal are consistent with the current version of the National Planning Policy Framework (the Framework) as this contains policies at paragraphs 124 and 127 which seek to create high quality buildings and developments which are sympathetic to local character. I therefore give these policies substantial weight in the determination of this appeal.
8. As a result, I find that the appeal proposal is in conflict with the above policies of the CS and the LP, as it would lead to the development of an incongruous and prominent addition to the existing house which would harm the character and appearance of the area.

#### *Provision of on-site parking*

9. The whole of the front of the house is currently used for car parking. At the time of my site visit there were two cars parked on the forecourt 1 in front of the garage and 1 to its right-hand side and the garage door was open. Although the appeal proposal would extend the garage to its right when viewed from the street, it is clear from my observations at the site visit and in the information supplied by the appellant in the statement of case that the site could still accommodate 2 cars should the proposal go ahead.
10. Core Policy 7 of the CS and Policy T2 of the LP recognise that the level of parking should be appropriate to its location and to the scale of development proposed. This should, according to the policies, also take account of local parking conditions.
11. The site in its existing state accommodates 2 cars, one in front of the garage and the other to its side. The garage itself, at the time of my site visit, appeared to be used for storage. In addition, the appellant has asserted that the garage itself is too small for modern vehicles, stating it has an 'opening width of 2.2m' and a maximum internal width of 2.3m. Moreover, Amberley Road itself is not subject to parking restrictions.
12. I am satisfied that should the appeal proposal be implemented that the current amount of parking available on the forecourt of the dwelling could be retained. It also appears to me that there is additional parking available in Amberley Road should that be needed. Therefore, the level of parking which would be available to the users of the property should the proposed development go ahead is appropriate to its location and the scale of the development proposed. The appeal proposal in this regard is consistent with Core Policy 7 of the CS and Policy T2 of the LP.

#### **Other Matters**

13. The appellant has suggested that should the development which is the subject of this appeal be rejected then he would make use of permitted development (PD) rights to extend upwards. In his view this would have a greater physical presence and visual impact on the host dwelling and the street scene than the appeal proposal.

14. The PD rights referred to by the appellant have been recently introduced and proposals to make use of these rights require prior approval from the local planning authority before any proposal is implemented. Neither party to this appeal has indicated that prior approval has been applied for or given for an extension of this nature. Therefore, it is my view that there is only a theoretical possibility that a development utilising PD rights under class AA will take place and as a consequence I can give this very little weight in the determination of this appeal.

**Conclusion**

15. Notwithstanding that I found that the site can adequately accommodate the level of car parking appropriate to its location I also found that the proposal would harm the character and appearance of the area and therefore the appeal is dismissed.

*Peter Mark Sturgess*

INSPECTOR



## Appeal Decision

Site visit made on 1 December 2020

by **Peter Mark Sturgess BSc (Hons), MBA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 08 December 2020

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**Appeal Ref: APP/J0350/D/20/3250078**

**10 Stewart Avenue, Slough, SL1 3NH**

- 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 and Mrs Zabear Abbas and Shegutta Farooq Bowken against the decision of Slough Borough Council.
  - The application Ref P/12953/004, dated 18 December 2019, was refused by notice dated 4 March 2020.
  - The development proposed is 2 storey side and part rear extension and front porch and rear dormer.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The appellant has argued that the proposed rear dormer would be permitted development (PD). The matter of whether the proposed dormer is PD is not before me as part of this appeal. Within the context of an appeal under section 78 of the Act it is not within my remit to formally determine whether the proposed dormer requires planning permission as raised by the appellant. However, I shall consider the evidence as to whether permission is required so far as it is material to the appeal. If the appellant wishes to ascertain whether the development would be lawful, they may make an application under s191 or s192 of the Act. I cannot consider the rear dormer in isolation as I am required to consider the scheme applied for as a whole.

### Main Issues

3. The main issues are:
  - the effect of the development on the character and appearance of the area; and
  - the effect of the development on the living conditions of the occupiers of the neighbouring houses.

### Reasons

#### *Character and appearance*

4. Stewart Avenue is a cul de sac made up of houses of varying styles. The end of the cul de sac is terminated by a row of terraced houses, with two pairs of



- semi-detached houses, including the appeal property, flanking them. The rest of the cul de sac appears to consist of semi-detached houses.
5. Whilst there is at least one example of a two-storey side extension in the road, it is set well back from the front walls of the dwelling to which it is attached. Other side extensions are set back, single storey and appear to have been constructed at the same time as the original dwelling.
  6. Houses in Stewart Avenue are largely unaltered. The gaps between them are uniform, interrupted by the occasional two storey extension set well back from the front elevation and the original single storey side projections. The appeal proposal would represent a significant change to the original house and unbalance the pair of semi-detached houses of which it forms part. A significant part of the gap between the appeal property and No 8 would be closed.
  7. Moreover, the symmetry with the pair of semi-detached houses on the opposite side of the end of the cul de sac would be lost. The gaps between houses and the symmetry between the two pairs of semi-detached houses at the end of the cul de sac are an important part of the character of the area. Consequently, the appeal proposal would harm the character and appearance of the area when viewed from the turning area at the end of Stewart Avenue, as it would introduce a large and incongruous addition to the appeal property. This would unbalance its overall appearance when viewed with its attached neighbour and therefore not be sympathetic to the other houses in the locality.
  8. The development plan is comprised of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document (CS) and the Local Plan for Slough from March 2004 (LP). Both these plans pre-date the current version of the National Planning Policy Framework (the Framework).
  9. The relevant policy of the CS is Core Policy 8 which seeks, amongst other things, to promote a high quality of development in the Borough. The relevant policies of the LP are EN1 and H15 which all require new development, amongst other things, to be of a high standard of design and be compatible with their surroundings.
  10. Despite their age, the policies relevant to this appeal are consistent with the current version of the National Planning Policy Framework (the Framework) as this contains policies at paragraphs 124 and 127 which seek to create high quality buildings and developments which are sympathetic to local character. I therefore give these policies substantial weight in the determination of this appeal.
  11. The Residential Extensions Guidelines Supplementary Planning Document (2010) (SPD) also expects, amongst other things, extensions to be in keeping with the design of the original house and its surroundings and be designed to be in proportion to the original house.
  12. As a result, I find that the appeal proposal is in conflict with the above policies of the CS and the LP, as it would lead to the development of an incongruous addition to the existing house and its surroundings which would harm the character and appearance of the area.



### *Living conditions*

13. The appeal proposal would introduce a two-storey flank wall close to the boundary with the neighbouring property at No 8. This would extend along the boundary with the garden of No 8. Its relationship with No 12 would be different, in that the two-storey extension would be on the opposite side of No 8, and there is already a single storey extension on its boundary.
14. Given the distance of the two-storey extension from the boundary with No 12 and the presence of an existing single storey extension, albeit slightly shorter, on this boundary, I consider that the living conditions of the occupiers of No 12 would be preserved by the appeal proposal.
15. However, given the scale, height and length of the proposed extension in relation to the boundary of the garden of No 8, I consider that this would create an overbearing relationship, which would result in a loss of outlook from the ground floor windows. Furthermore, it would harm the enjoyment of the occupiers of No 8 of the part of the garden closest to the house by restricting the outlook from the garden.
16. Policy CP8 of the CS expects, amongst other things, developments to respect their surroundings. ENV1 of the LP emphasises the importance of a development's relationship with nearby properties. H15 expects developments to have no significant impact on the amenity of adjoining occupiers. This approach is reinforced by Policy DP 6 of the SPD.
17. I find that the appeal proposal is in conflict with these policies of the development plan. It would result in a two-storey wall close to the boundary of the neighbouring property, thereby unacceptably harming the outlook the occupiers of the property currently enjoy.

### **Other Matters**

18. The appellant has argued that the two-storey side extension is stepped back from the front elevation. However, it is stepped back from a projecting gable and is in line with the rest of the front elevation. Moreover, the ground floor of the proposed extension would be inline with both the projecting gable and the single storey ground floor extension. This would make the setback proposed less noticeable and so would not overcome the conflicts identified with the policies of the CS or LP set out above.

### **Conclusion**

19. I find that the appeal must be dismissed.

*Peter Mark Sturgess*

INSPECTOR