

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: February 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

Ref	Appeal	Decision
P/07900/005	11, Langley Road, Slough, SL3 7AE Construction of a first floor extension, part single storey side and rear extension and loft conversion.	Appeal Dismissed 31 st December 2020
P/08247/002	2, Brackenforde, Slough, SL3 7AU Construction of a two storey side extension.	Appeal Dismissed 5 th January 2021



Appeal Decision

Site visit made on 20 December 2020

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

an Inspector appointed by the Secretary of State

Decision date: Thursday, 31 December 2020

Appeal Ref: APP/J0350/D/20/3260382

11 Langley Road, Slough, SL3 7AE

- 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 Mohammed Amri against the decision of Slough Borough Council.
 - The application Ref P/07900/005, dated 12 May 2020, was refused by notice dated 25 August 2020.
 - The development proposed is construction of first floor extension, part single/part double storey side and single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I note that the Council has cited policies H12, H13, EN1 and EN2 of the adopted Local Plan for Slough (March 2004) in support of its refusal of the planning application on the notice refusing planning permission for the appeal proposal. However, the officer's report also refers to Core Policies 7, 8 and 9 of the Slough Local Development Framework, Core Strategy (2006-2026), Development Plan Document, December 2008. It also refers to the Slough Residential Extension Guidelines, Supplementary Planning Document (2010).
3. I have not been supplied with any of these documents apart from those referenced on the notice sent to the applicant refusing planning permission. I will therefore determine this appeal having regard to the policies referred to in this notice.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area, the setting of St Bernard's School Conservation Area and on the living conditions of the occupiers of No 13 Langley Road.

Reasons

Character and appearance of the area

5. The part of Langley Road where the appeal site is located is characterised by residential development to the east and the buildings and grounds of a school and offices to the north, south and west. The buildings to the north, south and west lie within the St Bernard's School Conservation Area (CA).

6. The bungalow on the appeal site is the nearest of three others to the CA. It is a modest property which is not prominent in the street scene. It harmonises well with the neighbouring properties in terms of its height and impact on the street scene.
7. The proposed extension would significantly alter the bungalow by adding a two-storey extension, cat slide roofs, flat roof/crown roof, dormer window and roof lights. The front elevation would be altered so that a gable would face the road. It would be significantly taller than the neighbouring bungalows and would be prominent when approached a long Langley Road from the east.
8. Langley Road gently slopes from the east to its junction with Sussex Place/London Road. The appeal site is set down at the end of a row of residential properties next to the CA. Its position and siting means that it is currently not prominent in the street scene. However, the height of the appeal proposal would mean that its prominence in the road would increase.
9. Moreover, views of the appeal proposal would be particularly prominent from the east. This increase in prominence, together with features that are not typical of this part of Langley Road, such as a crown roof, a large flat roofed dormer and multiple roof lights would mean that the development would fail to harmonise with the area. Consequently, the proposed development would be seen as an incongruous and bulky addition to the dwelling that would fail to respect the existing character and appearance of the area.
10. The development plan is comprised of the Local Plan for Slough adopted 22nd March 2004 (LP). This pre-dates the current version of the National Planning Policy Framework (the Framework).
11. The relevant policies of the LP are EN1, EN2, H12 and H13 all of which require new development, amongst other things, to be of a high standard of design and be compatible with their surroundings in terms of such things as height, massing and bulk. Policy H13 identifies this part of Langley Road as a residential area of '*exceptional quality*'. This policy does not support proposals which would have a detrimental impact on the character of these areas.
12. Despite their age, the policies relevant to this appeal are consistent with the current version of the Framework as this contains policies at paragraphs 124, 127 and 130 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.
13. As a result, I find that the appeal proposal is in conflict with the above policies of the LP, as it would lead to a prominent and incongruous development that would harm the character and appearance of the area by reason of its height, bulk and design.

Setting of the Conservation Area

14. The CA is comprised of a group of traditionally designed school buildings with modern additions to the rear. The predominant character of the area, when viewed from the surrounding roads, is that of brick built institutional and office buildings with slate roofs and decorative brickwork, together with the additional feature of a tall square tower with a pyramidal roof surmounted by a lantern/finial.

15. The site is adjacent to the CA and is separated from it by a brick wall. When viewed from the east in Langley Road the roofscape of the buildings in the CA are clearly visible beyond the appeal site. These are predominately slate pitched roofs supported by buff brick walls. The tower within the CA is a particularly prominent feature when viewed from this direction.
16. The roof of the existing bungalow on the appeal site is visible from this direction. However, this is set down and is read against the existing brick walls of the buildings within the CA. The bungalow itself is not prominent from this direction and does not harm the setting of the CA.
17. The appeal proposal would significantly increase the height of the existing bungalow, thereby increasing its prominence when the CA is viewed from the east along Langley Road. The design of the appeal proposal, in particular the half-hipped gables, roof lights and box dormer, would jar with the traditional pitched roofs of the buildings within the CA. It would also start to restrict views of the CA from Langley Road and compete in that view with the features of the CA. Consequently, this would harm the setting of the CA when viewed from Langley Road.
18. Whilst I have found that the appeal proposal would harm the setting of the CA this would amount to less than substantial harm in terms of paragraph 196 of the Framework. However, paragraph 193 of the Framework states that great weight should be given to the assets conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
19. The Framework explains that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset harm should be weighed against the public benefits of the proposal.
20. In this case the appellant has not offered any justification for the proposal nor advanced any public benefit that might be derived from the proposal. Therefore, I find that the proposal is in conflict with the provisions of the Framework that attach great weight to the assets conservation. In this case as the setting of the CA is not conserved by the development the appeal proposal is in conflict with the Framework.

Living conditions of the occupiers of the neighbouring property

21. No 13 Langley Road is a bungalow with rooms in its roof that lies adjacent to the appeal site. It is primarily orientated with its principal windows either facing on to Langley Road or its garden to the rear. It has a flank dormer window in the elevation facing the appeal site.
22. This dormer window is an addition to the original building, set back into the site and would face on to the side elevation of the proposed extension. However, due to its position on the roof it would continue to have an outlook over the rear garden of the appeal property. Moreover, the appeal proposal would, at the point opposite the neighbouring dormer, be diverging from the neighbouring property. That would further reduce any loss of outlook it would experience from the appeal proposal.
23. I note that the appellant has argued that the dormer itself serves a landing in No 13, however I did not inspect the interior of No 13 to test the accuracy of

this statement. Nevertheless, I consider that the outlook from this window would not be harmed by the appeal proposal for the reasons given above.

24. The LP at Policy EN1 expects developments, amongst other things, to be compatible with their surroundings and their relationship to nearby properties. In the respect of the relationship between the appeal proposal and the first-floor side dormer window at No 13 Langley Road I find that the appeal proposal is consistent with this policy for the reasons set out above.

Other Matters

25. The appellant has argued that the Council is seeking to safeguard the bungalow 'typology' in this location. I have had regard to this point in this decision. However, and for the reasons given above, I consider that the location of a 2/3 story house of the design proposed in this location would harm the character and appearance of the area and harm the setting of the CA. It is not simply about maintaining the current bungalow on the site.
26. The appellant has also drawn my attention to examples in the Borough where existing bungalows have been developed into 2/3 storey houses and therefore the Council has not been consistent in its decision making. I do not have the full details of all the cases referred to by the appellant. However, I have, as I am required to do, addressed the merits of this particular case. In this case the specific circumstances such as the location of the plot, its relations to the street, principal views and proximity to the CA have been taken into account in the decision.
27. I note that the appellant has referred to the modern single storey buildings within the CA to the rear of the appeal site. Whilst I noted the presence of these buildings at my site visit, they are low buildings and not readily visible from any public vantage point that I could discern.
28. The appellant has referred to the materials from which the propose extension would be constructed. I have no doubt that were the appeal to be allowed that satisfactory conditions could be imposed in order to ensure that appropriate materials were used to construct the extension.

Conclusion

29. I find that the appeal must be dismissed.

Peter Mark Sturgess

Inspector



Appeal Decision

Site visit made on 9 October 2020 by Alex O'Doherty LLB(Hons) MSc MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 January 2021

Appeal Ref: APP/J0350/D/20/3247901

2 Brackenforde, Slough SL3 7AU

- 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 M Singh against the decision of Slough Borough Council.
 - The application Ref P/08247/002, dated 23 September 2019, was refused by notice dated 28 November 2019.
 - The development proposed is described as, "erection of 2 storey side extension to dwellinghouse".
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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.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons for the Recommendation

4. The appeal site is located towards the end of Brackenforde, a residential street that largely consists of chalet bungalows which are predominantly front-gabled, with side doors.
5. The proposal, for a two-storey side extension with a catslide roof and a rear dormer, would meet the ridge height of the host property and would project to its side by a significant margin. Due to its height, depth and bulk, it would unbalance the host property in architectural terms, which currently consists of a legible set of elements. In particular, it would greatly diminish the architectural status of the front gable, which is a distinctive feature of the property. Additionally, when viewed from the side above the garage, due to its large mass it would appear as an imposing feature which would detract from the modest appearance of the bungalow.
6. Brackenforde exhibits a high degree of uniformity in terms of the overall design of the bungalows. I have had regard to the photographs provided by the appellant, but I observed that whilst some of the properties on this street have side projections, these are mostly subordinate to their host properties, whereas the proposal would not be subordinate. The prominent siting of the proposal

would mean that it would be a noticeable feature in the street scene, and at the scale proposed it would stand out as an unduly bulky addition. Due to the absence of other extensions of a similar scale in the immediate vicinity, it would appear as an incongruous development in the street scene.

7. I therefore conclude that the proposal would have an unacceptable and harmful effect on the character and appearance of the host property and the surrounding area. The proposal would conflict with Core Policy 8 of the Core Strategy (2006 – 2026), and Policies H15, EN1 and EN2 of the Local Plan for Slough (2004) which collectively require development to be of a high quality design which is compatible with its surroundings. The proposal would also conflict with the advice given in the Residential Extensions Guidelines Supplementary Planning Document (2010) which sets out that extensions should not detract from the original dwelling, or from the character of the area as a whole.

Other Matters

8. The proposal would improve the living accommodation available to the appellant. However, as this would mainly be a private benefit, this has been given very limited weight and it does not outweigh the harm identified.

Conclusion and Recommendation

9. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

10. 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