

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: April 2023

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/06439/003	<p>44b, Wexham Road, Slough, SL1 1RN</p> <p>Conversion of the loft space into habitable accommodation for a first floor maisonette as a result of the addition of an L shaped dormer, with 2 no. front rooflights, a rear window (re-submission P/06439/002)</p> <p>Officers refused the application due to concerns with the prominence of the proposed dormer from Wellington Street (A4). Planning permission was required because No.44B is a first floor flat and doesn't benefit from PD rights. Secondary concerns were raised with the accuracy of the plans and the potential impact on No.46 Wexham Road as no Daylight/Sunlight Assessment was submitted with the application.</p> <p>The Inspector considered that the provision and visibility of dormers on other houses in Wexham Road and Aldin Avenue North meant that the dormer would not look out of keeping with the surrounding area. The Inspector considered it a proportionate addition that does not dominate the existing dwelling.</p> <p>The Inspector considered the impact on No.46 Wexham Road to be negligible.</p>	<p>Appeal Granted</p> <p>28th February 2023</p>
P/17073/006	<p>8 Litchum Spur, Slough, Berkshire, SL1 3HU</p> <p>Construction of a part single, part double storey rear extension</p> <p>Officers refused the application due to concerns with the proposed rear extension at first floor level would be an over-dominant and bulky feature, given that it would be more than 50% of the width of the original property, conflicting with DP3 of the RESPD, failing to address the reasons for refusal from the P/17073/004 application.</p> <p>The Inspector considered that although the scheme would not appear entirely subordinate to the original building, and it would not fully comply with the advice in the SPD, in this location to the rear, it would not harm the streetscene, and would not harm the character and appearance of the host or</p>	<p>Appeal Granted</p> <p>20th March 2023</p>

	the area. This view was given considering that the inspector also considered that there were diverse rear faces within the nearby buildings.	
P/13536/006	63, Wiltshire Avenue, Slough, SL2 1BB Retrospective application for single storey rear extension and additional alterations.	Appeal Dismissed 27 th March 2023
P/01175/014	397, Bath Road, Slough, Berkshire, SL1 5QA Installation of two illuminated 48-sheet D-Poster (Digital) displays.	Appeal Dismissed 13 th April 2023



Appeal Decision

Site visit made on 7 February 2023

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/J0350/W/22/3309991

44B Wexham Road, Slough SL1 1RN

- 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 Miss Vanessa Mascall against the decision of Slough Borough Council.
 - The application Ref P/06439/003, dated 26 June 2022, was refused by notice dated 5 October 2022.
 - The development proposed is the conversion of the loft space into habitable accommodation for a first floor non self-contained maisonette as a result of the addition of an L shaped dormer, with 2 no. front rooflights, and rear window.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the loft space into habitable accommodation for a first floor non self-contained maisonette as a result of the addition of an L shaped dormer, with 2 no. front rooflights, and rear window at 44B Wexham Road, Slough SL1 1RN in accordance with the terms of the application, Ref P/06439/003, dated 26 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 20-03-003, OS Block Plan and OS Site Plan.
 - 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.
 - 4) Notwithstanding the terms and provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no windows, other than hereby approved, shall be formed in the flank elevations of the development without the prior written approval of the Local Planning Authority.

Preliminary Matters

2. The red line boundary of the site shown on plans ref: 20-03-003 and 20-03-003, is different to that shown on the site plan and block plan. However, I am content that this discrepancy does not prevent me from making my decision.

Main Issues

3. The effect of the proposed development on the character and appearance of the area, and on the living conditions of the occupiers of No. 46 Wexham Road, with particular regard to outlook and sunlight.

Reasons

Character and appearance

4. The appeal site is located in a predominantly residential area, close to the town centre of Slough. It is largely characterised by two storey semi-detached properties, a number of which have loft conversions. Rear dormers and rooflights are therefore common features in the area.
5. The proposed development would provide an L shaped dormer as part of a loft conversion. There are already several examples of similar loft conversions and associated dormers in the vicinity, including at No's 60 and 64 Wexham Road, both of which are visible from Diamond Road. The Council has provided evidence to demonstrate that those works were carried out using permitted development rights and were therefore not the subject of a planning application. Those works also involved a smaller percentage increase in floorspace given that No's. 60 and 64 are both single dwelling houses rather than a maisonette like 44B. However, these factors do not change the fact that those L shaped dormers exist and now form part of the character of the area.
6. There are also several other examples of loft conversions and dormers nearby, including the properties immediately opposite the appeal site at No's. 20A and 20B Aldin Avenue North. They are a different design to the proposed development, given that they are separate 'box style' dormers rather than L shaped, and are set very slightly lower below the ridge height of the roofs and in from the flank elevations. However, the overall visual effect is not dissimilar to what is being proposed given that they are sizeable and very noticeable protrusions from the rear roof space.
7. No. 44B is in a prominent location and the rear of the property is clearly visible when viewed from Wellington Street. However, the rear dormers on Aldin Avenue North are also highly visible from the same location. Given this, and the presence of other comparable developments nearby, the proposal would not look incongruous or out of keeping with the surrounding area.
8. The proposal is not in conformity with the requirements of Policy EX34 of the Slough Residential Extensions Guidelines Supplementary Planning Document 2010 (the SPD), which requires dormers to be set below the ridge height of the roof and inset from the flanks. However, in this case, the proposed dormer would not extend beyond the ridge of the existing principal roof, or out as far as the existing eastern elevation. It would also not be significantly higher than the ridge of the roof that extends outwards to the rear of the property. It would therefore be proportionate in size and would not dominate the existing dwelling or appear bulky. In similar fashion to the examples at No's. 60 and 64 Wexham Road, the design and style of the dormer would not detract from the appearance of the existing dwelling. As such, the conflict with Policy 34 of the SPD is limited in nature. Two roof lights would also be introduced to the front of the property. Again, this would not be at odds with the appearance of other dwellings nearby, given that a number have a similar rooflights.

9. As a result, the proposed development would not harm the character and appearance of the area. It is therefore in conformity with Policy CP8 of the Slough Local Development Framework Core Strategy 2006-2026 (CS), Policies H15, EN1 and EN2 of the Adopted Local Plan for Slough 2004 (LP), and the overall thrust of the guidance contained in the SPD. Taken together, they seek to ensure that new development is of a good design and respects the character and appearance of both the existing dwelling and surrounding area.
10. I note that the Council have referenced LP Policy H13 in the decision notice. However, I do not consider this policy to be relevant to the proposal given that it concerns backland or infill development.

Living conditions

11. The proposed dormer to the rear of the property would clearly be very visible to the occupiers of No. 46 next door, particularly when viewed from the rear garden. However, the size of the proposed dormer is fairly limited when compared to the size of the existing building as a whole. It would appear as a proportionate extension to the property rather than an over-development, particularly as the height of the dormer would not extend beyond the ridge of the principal roof or project out as far as the eastern elevation of the property. As a result, it would not be visually obtrusive and there would be no feeling of dominance or enclosure experienced by the occupiers of No. 46. Furthermore, given that the dormer would only increase the overall mass of the building by a limited amount, any additional over-shadowing or reduction in sunlight would be negligible.
12. I conclude that the proposed development would not cause harm to the living conditions of the occupiers of No. 46 in conformity with LP Policies EN1 and EN2, as well as principles DP6 and DP7 of the SPD. Taken together, they seek to ensure that the design of development respects neighbouring properties and that living conditions of neighbouring occupiers are preserved, including in respect of outlook and sunlight.

Conditions

13. In the interests of certainty and clarity, I have imposed the standard time condition and identified the relevant plans. I have also imposed the standard condition on materials to ensure that the proposed development conforms with the existing character of the building.
14. I have also imposed a condition to prevent new windows being provided on the flank elevations without prior written approval from the Council. I'm satisfied that this condition is necessary to protect the privacy of neighbouring occupiers.

Conclusion

15. For the reasons given I conclude that the appeal should be allowed.

C Butcher

INSPECTOR