
Appeal Decision

Site visit made on 31 January 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 8 February 2017

Appeal Ref: APP/J0350/D/16/3164249

190 Burnham Lane, Slough SL1 6LE

- 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 Alpesh Patel against the decision of Slough Borough Council.
 - The application Ref P/11010/002, dated 30 August 2016, was refused by notice dated 26 October 2016.
 - The development proposed is for the construction of a single / double storey side and rear extension and front porch.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The site is situated within a suburban street comprising predominantly two storey detached and semi-detached houses. The location within which the site is situated is identified within the Local Plan for Slough – March 2004 (LP) as a Residential Area of Exceptional Character (RAEC). The pattern of development along the northern side of Burnham Lane is denser than that to its southern side, although overall all dwellings are of a reasonable scale and generally sit within quite generous plots, albeit with quite close spacing in parts along the former side.
4. I noted on my site visit that many dwellings within the locality have been altered and extended over time and of particular note is the erection of a first floor side extension to 188 Burnham Lane, granted on appeal pursuant to Ref. APP/J0350/D/11/2165281. From the appeal submissions, it is highlighted that the gap between this extension and the flank elevation of number 186 is approximately 2.1m, this is material to this appeal, although each case must be assessed on its own merits.
5. I note that the Council states that the gap between the proposed first floor side extension and the flank elevation of no 188 would be 1m, whereas the appellant states that a gap of 1.5m would be maintained. It is not possible to ascertain from the submitted drawings before me the accuracy of either of these figures but, nonetheless I am content that the gap would be less than that between nos

186 and 188. I accept that there is no right to a view within planning law, but nonetheless the spacing between buildings, which has been highlighted by the Council as being one of the reasons why the area was designated as a RAEC, and the effect that the closure of such gaps can have upon the character and appearance of an area are also material to the consideration of this proposal. As highlighted by the appellant this gap is already reduced by the presence of the single storey lean-to extension, but the proposed first floor extension would give rise to a further erosion of this gap.

6. I acknowledge that the Council has not made reference to the removal of the single storey lean-to off the boundary with no 192, nonetheless, whilst the proposal may give rise to an increase in the level of spaciousness to the north western side of the appeal site, this is effectively cancelled out by the proposal before me. Therefore, I cannot agree that it would represent a betterment to the existing situation.
7. The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document adopted January 2010 (SPD) where concerning two-storey/first-floor side extensions highlights within its Policy EX11 that such proposals should be off the side boundary by a minimum of 1m. This is in order to maintain a visual gap between buildings, thereby reducing the 'terracing' effect on the street scene. I also note that SPD Policy EX15 highlights that in a RAEC, such extensions will not normally be permitted, not only in order to prevent terracing, but also to maintain important space in between existing buildings. The very fact that the development along the northern side of Burnham Lane is denser than the development along the southern side reinforces the need and importance of maintaining separation distances between buildings.
8. I have no reason to doubt that the appellant has sought a sensitive approach to the proposal to ensure that the first floor extension appears as subservient to the host dwelling, respects the established building line and would utilise a palette of external materials to complement those used in the existing dwelling. Notwithstanding this, I find that the proposal would not allow a sufficient separation distance between the host dwelling and the boundary with no188, which would result in the increased closure of the gap and would be detrimental to the general character and appearance of the area.
9. I find the proposal contrary to LP Policy H12 which highlights that development proposals will not be permitted which would have a detrimental impact upon the character and amenity of residential units included within the RAEC. The proposal also conflicts with LP Policies H15, EN1 and EN2 and Core Policies 8 and 9 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 which, amongst other things, require development proposals to reflect a high standard of design and be compatible with and/or improve their surroundings in terms of scale and visual impact, there being no significant adverse impact on the existing street scene and for development to generally respect the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations.
10. As well as being contrary to the SPD, I also find the proposal is contrary to one of the core planning principles of the National Planning Policy Framework which

always seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

11. For the reasons given above and having regard to all other matters raised by the appellant, I conclude that the appeal should be dismissed.

C J Tivey

INSPECTOR