The Planning Inspectorate

Appeal Decision

Site visit made on 28 February 2017

by J Dowling BA(Hons) MPhil MRTPI

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

Decision date: 03 march 2017

Appeal Ref: APP/J0350/D/17/3166599
27 Westfield Road, Slough SL2 1HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015. .
- The appeal is made by Mr Zahid Qayyum against the decision of Slough Borough Council.
- The application Ref Y/11807/006, dated 5 October 2016, was refused by notice dated 14 November 2016.
- The development proposed is the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8.0m, with a maximum height of 3m, and eaves height of 2.65m.

Decision

1. This appeal is allowed and approval granted under the provisions of Schedule 2, Part 1, paragraph A4 of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) for a single storey rear extension, which would extend beyond the rear wall of the original house by 8.0m, with a maximum height of 3m, and eaves height of 2.65m at 27 Westfield Road, Slough SL2 1 HE in accordance with details submitted pursuant to Schedule 2, Part 1, Paragraph A4(2) of the GPDO.

Procedural matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of adjoining premises, taking into account any representations received. My determination of this appeal has been made in the same manner.

Reasons

3. The appeal property is a two storey detached property. Whilst it was not obvious from my site visit it would appear from the information submitted with the appeal that the property has previously been extended. The proposal is for a single storey rear extension that, according to the plans, when combined with the exiting extensions would project rearward 8 meters

4. The occupiers of No 29 objected to the proposal as they considered that due to the proximity to their boundary the proposal would affect their living conditions through loss of light, overlooking and noise and disturbance. However, I note from their letter that they advised that despite a request to the Council they

had been unable to access the application drawings and as a result had, had to make their comments without being able to view the plans.

5. The proposed extension would be located on the eastern side of No 27 and would only extend partially across the rear elevation. As a result the extension would be some distance from the boundary with No 29. Given the orientation, distance to the boundary and that the structure would be of a modest bulk and mass I consider that the proposal would not result in loss of light, overlooking or noise and disturbance to the occupants of No 29.

6. Although they did not object to the proposal the Council considered that the proposed extension would adversely affect the living conditions of the occupiers of No 25.

7. The proposed extension at No 27 would project beyond the rear of the extension at No 25. However, I observed at my site visit that a close boarded fence and mature hedge runs along the mutual boundary between the two properties. As a result I consider that the majority of the bulk of the proposed side wall would be screened from view behind the hedging and that as a result there would be very limited views of the proposal from the rear windows of No 25. Furthermore, given that the rear elevations face south and that proposed extension at No 27 and the existing extension at No 25 are both set off the boundary I do not consider that the proposal would result in overshadowing or loss of light to No 25.

8. As a consequence while the proposal would exceed the depth for rear extensions advocated in the Council's adopted Supplementary Planning Guidance 'Residential Extensions Guidelines' (2010) I consider that the proposal would not result in material harm to the living conditions of the occupiers of No 25.

9. The proposal would therefore be in accordance with Core Policy 8 of the Slough LDF Core Strategy (2008) and saved policies H15, EN1 and EN2 of the Local Plan for Slough (2004) which advocate that development should be compatible with its surroundings and should respect the amenities of adjoining occupiers. These policies reflect the National Planning Policy Framework's core principles, particularly that planning should be seeking a good standard of amenity for all existing and future occupants of land and buildings. I do not consider policy H14 of the Local Plan mentioned by the Council in their reason for refusal relevant to the determination of this appeal as it deals with the provision of amenity space.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed and approval granted. In granting approval the appellant should note that the GPDO requires at Paragraphs A4 (13), (14) and (15) that the development shall be completed on or before 30 May 2019 and that the developer shall notify the local planning authority in writing of the completion of the development as soon as reasonably practicable after completion. Such notification shall include the name of the developer; the address or location of the development, and the date of completion.

Jo Dowling

INSPECTOR