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## Appeal Decision

Site visit made on 6 June 2017

**by D. M. Young BSc (Hons) MA MRTPI MIHE**

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

**Decision date: 4<sup>th</sup> July 2017**

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**Appeal Ref: APP/J0350/W/17/3171402**

**1-2 The Drive, Slough SL3 7DB.**

- 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 G. R. Khan against the decision of Slough Borough Council.
  - The application Ref P/07663/019, dated 18 October 2016, was refused by notice dated 13 January 2017.
  - The development proposed is the erection of two rear dormer roof extensions, associated roof alterations and the installation of four rooflights to the front elevation to create one (1x) one bedroom flat in the roof space.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of two rear dormer roof extensions, associated roof alterations and the installation of four rooflights to the front elevation to create one (1x) one bedroom flat in the roof space at 1-2 The Drive, Slough SL3 7DB in accordance with the terms of the application, Ref P/07663/019, dated 18 October 2016 subject to the following conditions.
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1/1250 Site Plan, GRK/PLAN/001, GRK/PLAN/003, GRK/PLAN/004, GRK/PLAN/007 and GRK/PLAN/008.
  - 3) To reduce the transmission of noise, sound proofing works, details of which shall first be submitted to and agreed in writing by the Local Planning Authority, shall be installed to the floor of the flat hereby approved prior to first occupation and thereafter retained.

### Application for costs

2. An application for costs was made by Mr G. R. Khan against Slough Borough Council. This application is the subject of a separate decision.

### Main Issues

3. The main issues are the effect of the development on, firstly, the character of the area and, secondly, the living conditions of neighbouring occupiers.
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## **Reasons**

### *Character of the area*

4. The appeal proposal involves the erection of 2 rear dormer windows to facilitate the provision of an additional flat. The appeal property consists of a pair of semi-detached houses that have previously been converted into 4 flats. The loft area is already in use in connection with the flats on the ground and first floors. Off-street parking is provided to the front of the property in a shared forecourt area.
5. The essence of the Council's case is that the additional flat would harm the character of the area which consists of family houses. However as the appellant has pointed out there are already a number of flatted development in the immediate vicinity. Even if that wasn't the case, it is difficult to see how the addition of a single one-bedroom flat to the property would have an unacceptable effect on the character of the area. The Council's stance is perhaps even more abstruse when one considers that the appeal property is already divided into flats. There is nothing before me to demonstrate this has had a harmful effect on the character of the area.
6. Accordingly there would be no conflict with Core Policies 1, 4 and 8 of the "*Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document*" (the CS) or Policy EN1 of the "*Local Plan for Slough 2004*" (the LP). Collectively these seek high quality, sustainable development that is compatible with its surroundings in terms of design and density.

### *Living conditions*

7. I have noted the Council's concerns about noise disturbance to existing residents. However, it is commonplace for flats to be located above or below one another. There is nothing of any substance before me in this case which explains why such an arrangement would be unacceptable particularly bearing in mind that a suitable planning condition could be attached to ensure adequate sound proofing is installed.
8. The submitted first floor plan demonstrates how the flat would be accessed independently and I note that the Council have made no further comment in this regard. Based on the foregoing, I am satisfied that the development would not harm the living conditions of neighbouring occupiers. There would thus be no conflict with Core Policies 1, 4 and 8 of the CS and Policy 1 of the LP insofar as they seek to safeguard the amenities of adjoining occupiers.

## **Other Matters**

9. The Council has cited a historical appeal decision from the London Borough of Bromley in support of its case. However, whilst I do not know the exact circumstances of that appeal, it is clear from the limited information provided that its location and policy context are quite different to the current appeal scheme. I have therefore assessed the appeal before me on its own merits in the light of the particular circumstances which apply in this case.

## **Conclusion**

10. For the reasons given above and having regard to all other matters raised, I consider the appeal should succeed. In addition to the standard time limit and

a sound proofing condition, I have specified the approved plans as this provides certainty.

*D. M. Young*

Inspector