

Appeal Decision

Site visit made on 5 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: 18 July 2017

Appeal Ref: APP/J0350/W/17/3172083

The Curve, 26 Chalvey Road West, Slough SL1 2JG.

- 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 Frank Rameshni against the decision of Slough Borough Council.
 - The application Ref P/01201/010, dated 14 November 2016, was refused by notice dated 11 January 2017.
 - The development proposed is a residential third floor extension comprising of two new dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for a residential third floor extension comprising of two new dwellings at The Curve, 26 Chalvey Road West, Slough SL1 2JG in accordance with the terms of the application, Ref P/01201/010, dated 14 November 2016, 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: 1/1250 Location Plan, 10 rev A, 106, 107, 108 and 109.
 - 3) The external materials shall match the existing building.

Preliminary Matters

2. The site history includes a dismissed appeal for a similar albeit larger scheme¹. Whilst clearly a material consideration, it is apparent that the extension in that case was materially larger than the scheme before me. Therefore, whilst I have had regard to this decision, I have determined the current appeal purely on its own merits, in the light of the particular circumstances which apply in this case.

Main Issues

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

¹ LPA Ref: P/01201/009

Reasons

Character and appearance

4. The appeal building is sited prominently at the Chalvey Road West/Darvill's Lane/High Street junction on the outskirts of Slough town centre. It comprises commercial uses at ground floor level with residential flats on the upper floors. Visually the building is split into two sections; a distinctive 4-storey, brick oval shaped element and a more modest 3-storey rectangular building mostly clad in timber boarding. The appeal scheme relates only to the latter where it is proposed to erect an additional floor to the building to provide 2 additional flats.
5. The surrounding area contains a mix of residential/commercial uses. There is considerable variety in the style, form and height of development which whilst not unattractive, is not particularly notable or sensitive in architectural or streetscape terms. With that in mind this is not a location where small scale alterations and additions to buildings would normally be precluded.
6. The plans show that the additional storey would largely replicate the appearance and fenestration pattern of the building below. It would be set back generously from the front, rear and side faces of the building. Consequently, it would be a recessive rather than a dominant addition which would not be unduly prominent in public views. The roof extension would be set below the existing 4-storey oval section and consequently there would be no overall increase in the height of the building. Accordingly and with a clear visual break between the two sections, the rectangular section would remain subservient and the overall architectural integrity of the building safeguarded.
7. I accept that the mansard would be visible in longer distance views of the building. However, given its modest proportions and matching materials this would not be in a manner that could reasonably be described as harmful given the area's varied and robust character I have set out above.
8. I therefore conclude that the development would not cause unacceptable harm to either the host building or the character and appearance of the wider area. Accordingly, there would be no conflict with the provisions of Core Policy 8 of the "*Slough Local Development Framework: Core Strategy 2006-2026 Development Plan Document*" and Policies EN1 & EN2 of "*The Local Plan for Slough*" (the LP) which collectively require new development to be of a high quality of design respecting its location and surroundings. "*The National Planning Policy Framework*" (the Framework) would also be satisfied in terms of the need to ensure that development responds to local character, reflects its surroundings and adds to the overall quality of the area.

Living conditions

9. The Council accept that there would be no adverse effect in relation to overshadowing or privacy. Instead the issue is whether the extension would cause unacceptable harm in terms of the outlook of the occupiers of 4 and 6 Darvill's Lane.
10. Compared to the previously dismissed scheme, the height of the extension has been reduced and its rear elevation would be set in approximately 3.5 metres from the northern face of the building. There is no evidence before me to suggest the extension would even be visible from rear facing windows of Nos 4

and 6. Although the extension might be visible from certain parts of the rear gardens, given its proportions, set-back and the amount of separation, I fail to see how this could reasonably be described as harmful given the site's context in a built up area. On the contrary, section B-B demonstrates that there would be a negligible reduction in the extent of sky visible from the rear gardens of the aforementioned properties.

11. Based on the foregoing, I conclude that the development would not harm the living conditions of neighbouring occupiers. It would thereby accord with criterion (j) of LP Policy EN1 and the aims of the Framework to always seek a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

12. I had had regard to a letter of objection from one of the occupiers of the existing flats. However, the effect on property values is not a material consideration to which I can attach any significant weight.

Conditions

13. The Council have suggested 7 planning conditions which I have considered against the advice in the "*Planning Practice Guidance*". I have imposed conditions limiting the life of the planning permission and specifying the approved plans in the interests of proper planning and to provide certainty. In addition, I have imposed a condition relating to the external materials to ensure the appearance of the development is acceptable.
14. The suggested bin and cycle storage conditions are unnecessary as these arrangements are shown on the approved plans and therefore captured by the plans condition. Given the scale of the development and the details shown on the approved plans, I am not persuaded that conditions relating to the disposal of waste and a working method statement are necessary to make the development acceptable.

Conclusion

15. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector