



Appeal Decision

Site visit made on 19 March 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 April 2020

Appeal Ref: APP/J0350/D/20/3246814

74 Hampden Road Slough SL3 8SE

- 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 Ghauri against the decision of Slough Borough Council.
 - The application Ref P/16302/003, dated 4 October 2019, was refused by notice dated 11 December 2019.
 - The development proposed is a part single storey, part two storey side and first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part single storey, part two storey side and first floor rear extension at 74 Hampden Road Slough SL3 8SE in accordance with the terms of the application, Ref P/16302/003, dated 4 October 2019, 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 approved plans: No. PL-01 received 16/10/19, No. PL-02 received 16/10/19, No. PL-03 received 16/10/19, No. PL-04 received 16/10/19, and No. PL-05 received 16/10/19.
 - 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) The bathroom window on the side elevation of the development hereby permitted shall be glazed with permanently obscured glass to at least scale 5 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level and thereafter retained.

Procedural Matter

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

Main Issues

3. The main issues are the effect of the proposed development on
 - (i) the character and appearance of the host property and the area;
 - (ii) the living conditions of the occupiers of the neighbouring properties at Nos. 72 and 76 Hampden Road with particular regard to light and outlook; and
 - (iii) the living conditions of the future occupiers with particular regard to the outdoor amenity space.

Reasons

Character and appearance

4. The appeal property at No. 74 Hampden Road (No. 74) is a two storey end terrace dwelling with a single storey extension and detached outbuilding at the rear. The property is located in a mature well-established residential area, typically characterised by terraced and semi-detached properties set back from the road behind a front garden/driveway.
5. The proposal would entail the construction of a part single, part two storey side extension that would extend across the full width of the house and project out by about 3.2m from the side elevation of the property. The flat roofed single storey element of the side extension would extend up to the flank wall of the existing rear extension. The part two storey side extension would be constructed with a gabled pitched roof with the same eaves and ridge height as the host property and adjoining terrace. The proposal would also involve the construction of a first floor rear extension with a hipped pitched roof that would be set in from the rear and side boundary walls of the existing rear ground floor extension and stepped down below the ridge height of the host property.
6. The Council's Residential Extensions Guidelines Supplementary Planning Document July 2010 (SPD) states that two storey side extensions and first floor rear extensions should be subordinate to the main dwelling and set back from the boundaries with neighbouring properties. The SPD specifies two storey side extensions should generally not exceed 50% of the width of the host property in order to appear subordinate to the main dwelling and should have a minimum set back of at least 1m from the side boundary in order to give visual separation from adjoining properties. In this case, the proposed side extension would be just over 50% of the width of the host property and be set-in about 1m from the side boundary. It would be separated from the side elevation of the adjacent terraced property at No. 76 by a pedestrian access, close boarded fence and driveway running between the properties.
7. The appeal property is on a relatively spacious plot and as such the extensions would not appear overlarge, relative to the overall plot size. Whilst the proposed side extension would be located in a prominent position, it would be seen in the context of the scale and two storey form of the existing dwelling and adjacent properties and varied gaps between the buildings in the surrounding area. The proposed development would have a similar arrangement to the end terrace properties at Nos. 62 and 64 situated at the other end of the adjoining terrace that have a staggered form and are separated by a driveway.

8. Against this backdrop, the scale, form and design of the proposed side extension, set in, and rear first floor extension, stepped down and set back, would not appear significantly out of place or excessive in relation to the built form of the host property and the relationship with the adjacent properties would allow reasonable space to prevent any significant terracing effect.
9. The use of matching materials, fenestrations and the roof design would ensure the proposed extensions would sit relatively unobtrusively against the two storey form of the main property and allow the proposal to achieve an appropriate degree of subordination to the main house. I therefore consider that the overall bulk and form of the proposed extensions would not significantly detract from the architectural integrity of the host property and would limit any significant adverse impacts on the street scene.
10. Consequently, I conclude that the proposal would not result in significant harm to the character and appearance of the host property and area. It would be consistent with the overall aims of Core Policy 8 of the Slough Local Development Framework Core Strategy 2008 (CS), Policies H15, EN1 and EN2 of the Slough Local Plan 2004 (LP) and the SPD. These policies and guidance seek, amongst other things, to ensure that development and residential extensions are of a high quality design that is compatible with the existing property and respects the character of the surrounding area. The proposal would accord with the National Planning Policy Framework (the Framework) that developments should seek to secure a high quality of design (paragraph 124) that are sympathetic to the local character (paragraph 127).

Living conditions of the occupiers of the neighbouring properties

11. The proposed extensions would be located adjacent to the two storey properties at Nos. 72 and 76 Hampden Road (Nos. 72 and 76). The adjoining terrace property at No. 72, to the north of the appeal site, has a small patio area leading out to an enclosed garden area at the rear immediately next to the shared common boundary. The adjacent property at No. 76, to the south, is set further forward and is separated from the appeal site by a pedestrian passageway, close boarded fence and driveway between the properties.
12. The nearest first floor windows at the rear of Nos. 72 and 76 serve a bathroom with obscured glazing and the proposed extensions would be set back from the nearest first floor windows to the habitable rooms at the rear of the adjacent properties. The Council indicate that the proposed first floor rear extension would breach the 45-degree line from the closest edge of the nearest first floor windows of the habitable rooms at the rear of Nos. 72 and 76. However, the appellant's statement and submitted plans indicate that this would not be the case. Given the overall design and layout of the rear first floor extension, set in and stepped down, and the orientation of the buildings, I consider that the proposal would not significantly reduce the amount of light reaching the main first floor habitable rooms at the rear of Nos. 72 and 76.
13. In term of outlook, whilst I accept that there is some impact from the development, given the overall height and design of the proposed extensions, set back, together with the boundary treatment and the separation distance between the properties, I consider that the extensions would not significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of No. 76.

14. Consequently, I conclude that the development would not cause significant harm to the living conditions of the occupiers of the neighbouring properties at Nos. 72 and 76 with particular regard to light and outlook. It would be consistent with the overall aims of Core Policy 8 of the CS, Policies H15 and EN1 of the LP and the SPD. These policies and guidance seek, amongst other things, to ensure that residential extensions are of a high quality design and there is no significant adverse impact on the amenity of adjoining occupiers. It would also accord with the Framework that development should seek to create places with a high standard of amenity for existing users (paragraph 127).

Living conditions of the future occupiers

15. A small enclosed garden measuring about 10 metres in depth with an area of 117 sqm, including an outbuilding, is provided at the rear of the host property¹.
16. The Council requires a rear open garden space to be provided for a four bedroom dwelling with a minimum garden depth of 15 metres or 100 sqm in line with the guidance in the SPD. The appellant states that the submitted plans show three bedrooms and a study at first floor level and adequate amenity space. However, irrespective of the difference between the main parties, the proposed extension would retain the vast majority of the existing rear garden. This, in my view, would provide the future occupiers with a usable garden space of sufficient quality and size to carry out leisure and household activities, particularly during the summer months. I therefore consider that the proposal would provide adequate outdoor amenity space and result in a satisfactory living environment for the future occupiers in this particular case.
17. Consequently, I conclude that the proposal would not cause significant harm to the living conditions of the future occupiers with particular regard to outdoor amenity space. It would, therefore, accord with Policy H15 of the LP and the SPD that seek to ensure that residential extensions protect amenity and provide an appropriate level of rear garden amenity space. It would also accord with the Framework that development should seek to create places with a high standard of amenity for future users (paragraph 127).

Conditions

18. Having regard to the Framework, I have considered the conditions suggested by the Council. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. In order to protect the character of the area and safeguard the amenities of the nearby residents, I have imposed conditions requiring matching external materials and the use of an obscured glazed and non-opening bathroom window below a height of 1.8 metres taken from internal finished floor level on the side elevation.

Conclusion

19. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR

¹ EJB Planning Appeal Statement February 2020 Paragraph 7.33