
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/20/3246635

1 Lochinvar Close, Slough SL1 9HE

- 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. Slawomir Kocialski against the decision of Slough Borough Council.
 - The application Ref P/17900/000, dated 1 October 2019, was refused by notice dated 31 January 2020.
 - The development proposed is a porch and two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a porch and two storey side extension at 1 Lochinvar Close, Slough SL1 9HE in accordance with the terms of the application, Ref P/17900/000, dated 1 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. 050 received 04/10/19, No. 051 received 04/10/19, No. 101rA received 06/01/20, No. 102rA received 06/01/20 and No. 103rA received 06/01/20.
 - 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.

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. 14 and 16 Haig Drive with particular regard to outlook; and

- (iii) whether the proposal makes appropriate provision for off-street parking in the interest of highway safety.

Reasons

Character and appearance

4. The appeal property at No. 1 Lochinvar Close (No. 1) is a two storey end terrace dwelling with a pitched roof single garage attached at the side. 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. Nos. 1 and 2 Lochinvar Close are set back and staggered further from the road than the adjoining terrace of properties.
5. The proposal would entail the demolition of the single garage and the construction of a two storey side extension that would be set back from the front elevation of the property by about 0.6m. It would extend out up to the side common boundary with the adjacent terraced properties on Haig Drive and would be stepped down below the ridge of the main house with a pitched gabled roof. The proposal would also involve the construction of a new porch with a pitched roof at the front of the appeal property.
6. The Council's Residential Extensions Guidelines Supplementary Planning Document July 2010 (SPD) specifies a minimum set back of at least 1m for a two storey/first floor side extension from the front elevation and set-in requirement of least 1m from the side boundary in order to give visual separation from adjoining properties and preserve the areas character and sense of openness. In this case, the proposed side extension would be set-in about 0.3m from the side boundary and would be separated from the rear elevation of the adjacent terraced properties by the rear gardens and a high solid brick wall running between the properties.
7. 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. Against this backdrop, the scale, form and design of the proposed side extension, stepped down and set back within a staggered frontage, 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.
8. The modest overall increase of the side projection at No. 1 together with the use of matching materials and fenestrations would ensure the proposal would sit relatively unobtrusively against the two storey form of the main property. The proposal would therefore achieve an appropriate degree of subordination to the host property and as such would not detract from the architectural integrity of the host property and would limit any significant adverse impacts on the street scene.
9. 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

10. The proposed side extension would be located adjacent to the rear elevation of the two storey properties at Nos. 14 and 16 Haig Drive (Nos. 14 and 16). It would be set back from the nearest windows to the habitable rooms at the rear of the adjacent properties and would be separated by the small enclosed gardens and a solid brick boundary wall measuring approximately 1.5m high at the rear of Nos. 14 and 16.
11. Whilst I accept that there is some impact from the development, given the overall height and design of the extension, set back, together with the boundary treatment and the separation distance between the properties, I consider that the extension would not significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of Nos. 14 and 16. The outlook at the rear of Nos. 14 and 16 is already toward the blank side wall of the existing garage and the gable end of the adjacent property at No. 1 and the appeal site would be separated by the existing garden areas and brick wall at the rear of Nos. 14 and 16. As such, I consider the relationship between the proposed extension and the adjacent properties would not be significantly different to the existing situation on the site and not warrant dismissal of the appeal on these grounds.
12. Consequently, I conclude that the development would not cause significant harm to the living conditions of the occupiers of the neighbouring properties at Nos. 14 and 16 Haig Drive with particular regard to outlook. It would be consistent with the overall aims of Core Policy 8 of the CS, Policies H15, EN1 and EN2 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 and future users (paragraph 127).

Parking

13. The development proposes a parking area with two parking spaces across the frontage of the site and vehicular access onto Lochinvar Close. The road in the vicinity of the access has footpath provision along the road.
14. In terms of parking provision, the Council's Parking Standards requires 2 off-street parking spaces to be provided for a three bedroomed dwelling in this location which should be 4.8m deep and 2.4 wide. The Council contend that the proposal would not provide the appropriate level and layout of the parking spaces as a result of the loss of the garage and would be hindered by the presence of the proposed porch at the front of the site. I acknowledge that the parking area at the front of the appeal property is restricted in nature and some properties in both Lochinvar Close and the surrounding streets rely on on-street parking and there is likely to be competition for parking spaces at peak periods.

15. However, there are no parking restrictions outside the appeal site and at the time of my site visit, there were parking spaces available at the front of the appeal property, along Lochinvar Close and the nearby streets, although this was obviously only a snapshot in time. The Local Highway Authority has not commented on the proposal and little substantive evidence has been submitted to demonstrate there is no residual parking capacity in the overall area.
16. Consequently, in view of the scale of development and the evidence before me, I consider that the extra demand for on-street parking generated by the development is relatively small in the context of the overall supply and availability of parking in the area and would not be significantly materially different to the existing situation on the site. In any event, the appeal site is located in a sustainable location within easy walking distance of the local services and facilities and public transport services and as such provides a viable alternative to the use of the car. Therefore, I consider that the effect is likely to be only marginal and certainly not severe, the test set by the Framework for preventing development on highway grounds¹.
17. For the above reasons, I conclude that the development would have appropriate provision for off-street parking and would not have a significant adverse effect on highway safety in the area. The development would therefore be consistent with the aims of Core Policy 7 of the CS, Policy T2 of the LP and the SPD that require development proposals, amongst other things, to provide satisfactory parking provision in the interest of highway safety, to protect the amenities of adjoining residents and the visual impact of the area.

Conditions

18. Having regard to the Framework, and in particular paragraph 55, 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 and appearance of the area and safeguard the amenities of the nearby residents, I have imposed a condition requiring matching external materials.
19. The Council have suggested the removal of permitted development rights. In light of my findings, given that the proposal is acceptable on its own merits for the reasons set above, there are no exceptional circumstances in this instance that would justify the removal of permitted development rights that are reasonable and necessary to make the development acceptable.

Conclusion

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

David Troy

INSPECTOR

¹ Paragraph 109 of the Framework