
Appeal Decision

Site visit made on 1 December 2020

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 08 December 2020

Appeal Ref: APP/J0350/D/20/3250078

10 Stewart Avenue, Slough, SL1 3NH

- 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 and Mrs Zabear Abbas and Shegutta Farooq Bowken against the decision of Slough Borough Council.
 - The application Ref P/12953/004, dated 18 December 2019, was refused by notice dated 4 March 2020.
 - The development proposed is 2 storey side and part rear extension and front porch and rear dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has argued that the proposed rear dormer would be permitted development (PD). The matter of whether the proposed dormer is PD is not before me as part of this appeal. Within the context of an appeal under section 78 of the Act it is not within my remit to formally determine whether the proposed dormer requires planning permission as raised by the appellant. However, I shall consider the evidence as to whether permission is required so far as it is material to the appeal. If the appellant wishes to ascertain whether the development would be lawful, they may make an application under s191 or s192 of the Act. I cannot consider the rear dormer in isolation as I am required to consider the scheme applied for as a whole.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the area; and
 - the effect of the development on the living conditions of the occupiers of the neighbouring houses.

Reasons

Character and appearance

4. Stewart Avenue is a cul de sac made up of houses of varying styles. The end of the cul de sac is terminated by a row of terraced houses, with two pairs of

- semi-detached houses, including the appeal property, flanking them. The rest of the cul de sac appears to consist of semi-detached houses.
5. Whilst there is at least one example of a two-storey side extension in the road, it is set well back from the front walls of the dwelling to which it is attached. Other side extensions are set back, single storey and appear to have been constructed at the same time as the original dwelling.
 6. Houses in Stewart Avenue are largely unaltered. The gaps between them are uniform, interrupted by the occasional two storey extension set well back from the front elevation and the original single storey side projections. The appeal proposal would represent a significant change to the original house and unbalance the pair of semi-detached houses of which it forms part. A significant part of the gap between the appeal property and No 8 would be closed.
 7. Moreover, the symmetry with the pair of semi-detached houses on the opposite side of the end of the cul de sac would be lost. The gaps between houses and the symmetry between the two pairs of semi-detached houses at the end of the cul de sac are an important part of the character of the area. Consequently, the appeal proposal would harm the character and appearance of the area when viewed from the turning area at the end of Stewart Avenue, as it would introduce a large and incongruous addition to the appeal property. This would unbalance its overall appearance when viewed with its attached neighbour and therefore not be sympathetic to the other houses in the locality.
 8. The development plan is comprised of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document (CS) and the Local Plan for Slough from March 2004 (LP). Both these plans pre-date the current version of the National Planning Policy Framework (the Framework).
 9. The relevant policy of the CS is Core Policy 8 which seeks, amongst other things, to promote a high quality of development in the Borough. The relevant policies of the LP are EN1 and H15 which all require new development, amongst other things, to be of a high standard of design and be compatible with their surroundings.
 10. Despite their age, the policies relevant to this appeal are consistent with the current version of the National Planning Policy Framework (the Framework) as this contains policies at paragraphs 124 and 127 which seek to create high quality buildings and developments which are sympathetic to local character. I therefore give these policies substantial weight in the determination of this appeal.
 11. The Residential Extensions Guidelines Supplementary Planning Document (2010) (SPD) also expects, amongst other things, extensions to be in keeping with the design of the original house and its surroundings and be designed to be in proportion to the original house.
 12. As a result, I find that the appeal proposal is in conflict with the above policies of the CS and the LP, as it would lead to the development of an incongruous addition to the existing house and its surroundings which would harm the character and appearance of the area.

Living conditions

13. The appeal proposal would introduce a two-storey flank wall close to the boundary with the neighbouring property at No 8. This would extend along the boundary with the garden of No 8. Its relationship with No 12 would be different, in that the two-storey extension would be on the opposite side of No 8, and there is already a single storey extension on its boundary.
14. Given the distance of the two-storey extension from the boundary with No 12 and the presence of an existing single storey extension, albeit slightly shorter, on this boundary, I consider that the living conditions of the occupiers of No 12 would be preserved by the appeal proposal.
15. However, given the scale, height and length of the proposed extension in relation to the boundary of the garden of No 8, I consider that this would create an overbearing relationship, which would result in a loss of outlook from the ground floor windows. Furthermore, it would harm the enjoyment of the occupiers of No 8 of the part of the garden closest to the house by restricting the outlook from the garden.
16. Policy CP8 of the CS expects, amongst other things, developments to respect their surroundings. ENV1 of the LP emphasises the importance of a development's relationship with nearby properties. H15 expects developments to have no significant impact on the amenity of adjoining occupiers. This approach is reinforced by Policy DP 6 of the SPD.
17. I find that the appeal proposal is in conflict with these policies of the development plan. It would result in a two-storey wall close to the boundary of the neighbouring property, thereby unacceptably harming the outlook the occupiers of the property currently enjoy.

Other Matters

18. The appellant has argued that the two-storey side extension is stepped back from the front elevation. However, it is stepped back from a projecting gable and is in line with the rest of the front elevation. Moreover, the ground floor of the proposed extension would be inline with both the projecting gable and the single storey ground floor extension. This would make the setback proposed less noticeable and so would not overcome the conflicts identified with the policies of the CS or LP set out above.

Conclusion

19. I find that the appeal must be dismissed.

Peter Mark Sturgess

INSPECTOR