The Planning Inspectorate

Appeal Decision

Site visit made on 12 March 2021

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2021.

Appeal Ref: APP/J0350/D/20/3265709
13 Cress Road, Slough SL1 2XT

- 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 Taqmeel Sadiq against the decision of Slough Borough Council.
- The application Ref P/12001/002, dated 31 March 2020, was refused by notice dated 5 October 2020.
- The development proposed is Construction of a part single, part two storey front, side and rear extensions and associated internal alterations, following demolition of the existing garage.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council altered the description of the development from *"Side and rear storey extension with internal alterations"* to *"Construction of a part single, part two storey front, side and rear extensions and associated internal alterations, following demolition of the existing garage."* This is also the description used by the appellant on the appeal form. I consider this to be a more accurate description of the appeal proposals and I have therefore considered the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance on the host dwelling and the local area; and the living conditions of the occupiers of no. 15 Cress Road with particular regard to daylight and outlook.

Reasons

Character and appearance

4. The appeal site is an end-of-terrace dwelling set on a corner plot, with a detached garage building. The dwelling is set back from the road, with parking to the front and side access to the garage and rear garden area. The terrace is a row of dwellings spanning a stretch of Cress Road. Where the road bends at each end of the terrace, those properties are set slightly forward of the remainder of the terrace, creating a more dominant feature to the corners of

the street. I noted at the time of my site visit that number 19, the corresponding end property to the appeal site, was being extended and the main works to construct the walls had been carried out.

5. The proposed development would extend the property by wrapping around the side and rear of the dwelling, providing an open porch and two storey element to the front elevation, with a 1.5 storey extension to the side, and two storey extension to the rear. The roof of the proposed extension would reflect the existing by providing hipped gable features, however the 1.5 storey element would have a gable end feature. There are elements of the proposed design that would reflect the exiting dwelling, such as the use of matching materials and the hipped gables.

6. Notwithstanding, the extent of different elements proposed (namely the different roof levels), combined with the two storey elements would be discordant with the existing dwelling and remainder of the terrace which, in its current form, displays strong features and characteristics with a simple and uniform design and layout. In addition to this, the proposed open porch element across the frontage is in stark contrast to the character and appearance of dwellings in the local area and is not a feature frequently found in the locality.

7. The appellant has drawn comparisons with no. 19 Cress Road, where I was able to see an extension was currently under construction. Whilst I acknowledge that the extension in that case may be sizeable when compared to the existing dwelling, I was able to see that the extension did not protrude beyond the front or rear walls of the original dwelling. In addition to this, the design of that particular proposal, as shown in the appeal documents is reflective of the overall character and appearance of the terrace and existing dwellings in its design and layout. I note also the Council has mentioned the porch element to number 23 Cress Road, however do not consider that the presence of this porch is sufficient to overcome the harm identified at the appeal site.

8. I am not fully aware of the circumstances of either of these proposals, which are likely to be different, and in any event the fact that apparently similar extensions may have been permitted is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

9. Policies EN1, EN2 and H15 of the Slough Local Plan[1] (the Local Plan), require new development to (among other things) ensure the highest quality design and to be compatible with its surroundings, and existing building lines and ensure there is no adverse effect on the local area. The Slough Residential Extension Guidelines Supplementary Planning Document[2] (SPD) also sets out guiding principles for residential extensions and alterations, including expecting development to relate to the original building and to respect the streetscene and character of the area.

10. I consider that the proposals would harm the character and appearance of the host dwelling, and as such would not accord with policies EN1, EN2 and H15 of the Local Plan the guidance in the Council's SPD. The proposals would thus

[1] The Local Plan for Slough (Adopted March 2004)
[2] Slough Residential Extension Guidelines (Adopted January 2010)

also conflict with the National Planning Policy Framework (the Framework) which requires, at paragraph 127, development to be visually attractive an sympathetic to local character to create high quality buildings and spaces.

Living conditions

11. The proposed development would result in a two storey extension across the full extent of the rear elevation of the property, 3.65m in depth, and immediately adjacent to the neighbouring property no. 15 Cress Road. The neighbour at no. 15 is separated from the appeal dwelling via a standard close-board fence. I was able to see at my site visit that no.15 has a glazed door closest to the appeal site, with two further windows at ground floor level. At first floor there are three windows.

12. The appellant has provided measurements of the 45 degree line in the context of the proposed development from the first floor, however there appears to be some difference between the parties in the correct methodology to test the impacts of development to neighbouring properties. Notwithstanding, the development would have an eaves height of 4.95m and the additional height and depth would create a solid flanking wall and would protrude beyond the existing rear elevation of no.15 creating an unneighbourly sense of enclosure and unacceptable loss of daylight and sunlight. Whilst the roof would slope away from no. 15, there is also a parapet wall and I do not consider that this overcomes the harm identified that would be caused as a result of the additional development in proximity to that neighbour.

13. The Council's SPD says that there is a general rule that two storey extensions to the rear of a house should be up to 3.3m as anything that is longer is likely to be too overbearing for neighbours. The SPD acknowledges that this depends on the arrangements on the site and neighbouring dwellings. In the instance before me, the development would extend to 3.65m from the rear of the existing house and so conflicts with the guidance in the SPD. I consider that this depth, combined with the proximity to, and the relationship between the neighbouring windows would result in an unacceptable impact by way of loss of daylight and sunlight and overshadowing.

14. For these reasons I conclude that the proposed development would cause harm to the living conditions of neighbouring properties by way of an oppressive outlook and an unneighbourly sense of enclosure and loss of daylight and sunlight to the occupiers of the dwelling at no. 15. The development would therefore conflict with Policies EN1, EN2 and H15 of the Local Plan and the Guidance of the SPD. These, amongst other things, seek to ensure developments protect occupiers of neighbouring properties from loss of residential amenity, do not cause unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight or sunlight, or result in an unneighbourly sense of enclosure.

Other matters

15. I note that the appellant has confirmed that there would be no closure of a gap between dwellings given the corner plot layout of the appeal site. Nonetheless, this does not outweigh the harm identified above.

16. I note that the proposals before me are 'scaled down' from a previous development which had been refused by the Council, and has been amended

following officer feedback. Even so, I do not find that there are sufficient reasons which overcome the harms identified to allow the development.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Rebecca Thomas

INSPECTOR