



Appeal Decision

Site Visit made on 22 June 2021

by Mr Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2021

Appeal Ref: APP/J0350/D/20/3257929

36 Albert Street, Slough, SL1 2BU

- 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 Neel Anand against the decision of Slough Borough Council.
 - The application Ref P/04532/005, dated 17 October 2019, was refused by notice dated 27 May 2020.
 - The development proposed is the construction of a part single storey, part two storey front and rear extension and alterations to existing roof, enlargement of existing vehicular access and sliding gates.
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Decision

1. The appeal is dismissed insofar as it relates to the enlargement of existing vehicular access and sliding gates. The appeal is allowed insofar as it relates to the construction of a part single storey, part two storey front and rear extension and alterations to existing roof at 36 Albert Street, Slough, SL1 2BU in accordance with the terms of the application, Ref P/04532/005, dated 17 October 2019, so far as relevant to that part of the development hereby permitted and 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, insofar as it relates to the construction of a part single storey, part two storey front and rear extension and alterations to existing roof only, shall be carried out in accordance with the following approved plans: Existing Ground Floor Plan Drawing No PL100; Proposed Ground Floor Plan Drawing No PL200; Existing First Floor Plan Drawing No PL400; Proposed First Floor Plan Drawing No PL500; Proposed Elevations Drawing No PL800; Proposed Street View Drawing No PL950; Proposed Site Block Plan Drawing No PL960 and Site Plan.
 - 3) Prior to the beneficial use of the rooms they relate to, the proposed first floor side elevation windows shall be fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed in accordance with those details and once installed shall be retained thereafter.
 - 4) 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.

Preliminary Matters

2. I sought comments from the main parties on the description of development as the ones given on the application form and decision notice do not include the enlargement of the access or provision of sliding gates. These are shown on the submitted plans and are clearly separate to the works to the dwelling itself. As these aspects would have highways implications that would be different to, and they are clearly severable from, the rest of the scheme I have considered a split decision. I have therefore amended the description so that it more accurately reflects the proposal as shown on the plans.
3. The appellant's appeal statement included different parking options to those before the Council at the time of their decision or when the application was consulted upon. I cannot be satisfied that parties have had sufficient and fair opportunity to comment on the various options suggested. Therefore, I have assessed the appeal on the same plans that were before the Council at the time of their decision and upon which notification took place.

Main Issues

4. The main issues of the appeal are the effect of the proposed development on:
 - The character and appearance of the area,
 - The living conditions of the occupiers of 34 Albert Street and Chapman Court, with particular regard to privacy; and
 - Highway safety.

Reasons

Character and appearance

5. There is no consistency to the appearance of the properties along this part of the street. Moreover, elements such as the flat roof dormer and catslide roof to the front of the appeal property are anomalies and are not found at others nearby. At present, the existing dwelling adds little to the streetscene.
6. The proposed development would considerably alter the appearance, floor space and floor area of the dwelling. Nonetheless, the alterations to the front of the property, while extending across the whole of the frontage, would largely replicate the adjacent dwelling. The height of the roof would increase; however, the use of a gable roof is more typical of the buildings in the row and similar to the properties either side.
7. The rear extensions would also stretch across the whole width of the property significantly altering the rear elevation. The ground floor addition is said to have been subject to a previous Prior Approval and the overall depth of the property would be comparable to 34 Albert Road.
8. Elements of the proposal would be contrary to certain Design Principles given in the SPD¹ and the original form and shape of the existing building would be largely lost. Notwithstanding this, although the alterations would not be subordinate to the existing property, the proposed scheme would improve the appearance of it. Furthermore, the scale, bulk and shape of the dwelling would

¹ Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document

assimilate into the streetscene and result in a property more in keeping with those it would be most readily seen with than the existing one currently does.

9. Therefore, the proposed development would not harm the character and appearance of the area. There would be conflict with elements of the SPD² as well as saved Policies H15 and EN2 of the Local Plan for Slough (LP) where they relate to reflecting the original dwelling.
10. Nonetheless, the scheme would accord with their aims to ensure extensions harmonise with the scale and architectural style of the character of the area and the impact on the character of the locality is acceptable. It would also comply with Core Policy 8 of the Slough Local Development Framework Core Strategy (CS) and saved Policy EN1 of the LP where they require developments to be compatible with their surroundings and reflect the streetscene.
11. Finally, it would comply with the National Planning Policy Framework (Framework) where it requires schemes to be sympathetic to local character.

Living Conditions

12. There would be additional first floor windows on both side elevations. However, the plans indicate these would be fitted with obscure glazing and be non-opening below 1.7m above floor level. Subject to the imposition of a condition to ensure they are provided and retained as such there would be no significant increase in overlooking at the adjacent properties.
13. Moreover, to one side the window would face a largely blank gable end wall at 34 Albert Street and the other side faces onto the driveway, parking and already overlooked outdoor space at Chapman Court.
14. Consequently, the proposed development would not harm the living conditions of the occupiers of 34 Albert Street and Chapman Court with regard to privacy. The scheme would accord with the amenity protection aims of Core Policy 8 of the CS, saved Policies H15, EN1 and EN2 of the LP and the SPD.

Highways Safety

15. At my visit, which was mid-afternoon, and I appreciate is only a snapshot in time, the road to the front of the site was busy with a relatively constant flow of traffic. The proposed sliding gates would be likely to require vehicles to wait on the road or partly across the layby while they opened. This would be detrimental to highway safety by obstructing the free flow of traffic and increase the risk of conflicts and collisions between users.
16. The Council have not raised concern over the widening of the existing access, and I have reached the same finding. This would also improve visibility to some degree for vehicles and pedestrians. However, on the information before me it is unclear whether this element is linked to the provision of the gates with them being shown as attached to the boundary wall.
17. While it has been put to me that living accommodation could be provided in the roof space, the floor plans show there would be no increase in the number of bedrooms at the site. Therefore, while there would be alterations to the layout and size of the accommodation at the property, there has been no compelling

² Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document

evidence to indicate that parking demand or traffic generation would increase. On this basis, the provision of a turning area is not required.

18. However, the proposed development would harm highway safety with regard to the free flow of traffic. It would conflict with Policy T2 of the LP where it requires schemes to make appropriate provision for road safety. It would fail to accord with the Framework where it states that development should be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
19. As the level of parking should be appropriate to its location and parking demand would not increase, the proposal accords with Core Policy 7 of the CS where it states that the level of parking should be appropriate to its location.

Conditions

20. In addition to the standard time limit condition, in the interests of certainty, a condition specifying the approved plans, and clarifying the elements of the scheme allowed is required. To protect the character and appearance of the area, a condition requiring the external materials to match that of the existing property is imposed. A condition requiring obscure glazing for new first floor side elevation windows is imposed to retain privacy at the adjacent properties.

Conclusion

21. For the reasons given above, the proposal insofar as it relates to the construction of a part single storey, part two storey front and rear extension and alterations to existing roof accords with the development plan when considered as a whole.
22. I conclude that this element of the appeal should be allowed subject to the conditions above but dismissed insofar as it relates to the enlargement of the vehicular access and sliding gates.

Stuart Willis

INSPECTOR