

Appeal Decision

Site visit made on 3 February 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 FEBRUARY 2022

Appeal Ref: APP/J0350/D/21/3287684

20 Sutton Avenue, Slough, SL3 7AW

- 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 Saffi Hussani against the decision of Slough Borough Council.
 - The application Ref P/17353/004, dated 29 April 2019, was refused by notice dated 8 October 2021.
 - The development is described as retention of first floor rear extension and loft conversion (part retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for the retention of first floor rear extension and loft conversion (part retrospective) at 20 Sutton Avenue, Slough, SL3 7AW in accordance with the terms of the application Ref P/17353/004, dated 29 April 2019.

Preliminary matters

2. In the interests of clarity I have adopted the description of the proposed development used in the Council's decision notice.
3. The development subject of the appeal has been completed and the appellant, in effect, wishes to retain it in its current form. I shall proceed on this basis.

Main issue

4. The main issue is the effect of the development on the character and appearance of the host property and its surroundings.

Reasons

5. The appeal property is a substantial detached dwelling set within a pleasant residential area. There is a recent history of applications affecting the property, of which the most relevant are: permission granted for a single storey rear extension¹; a refusal for a first floor rear extension², and a permission granted for a first floor extension and loft conversion³.
6. The 2018 permission has been implemented and completed. The plans approved in 2019 reflected the discussions held between the appellant and the Council, as to the means to overcome the objections raised by the Council in

¹ Ref P/17353/001 dated 13 July 2018

² Ref P/17353/002 dated 26 October 2018

³ Ref P/17353/003 dated 22 January 2019

respect of the refused 2018 two storey rear extension proposal. The Council says that, in granting permission it 'relaxed' some of the requirements set out in its Guidelines⁴, in particular, in respect of the depth of the approved two storey extension. The Guidance points to a maximum depth of 3.3m, whilst the extension approved in 2019 was about 4.5m deep. It does not feel that an additional, more generous relaxation is warranted in this case.

7. The development permitted in 2019 was not built in accordance with the approved plans. In particular, the roof's ridge height has been increased by about 300mm, and the rear extension, according to the Council's measurements, is 5.2m deep⁵. The applicant applied for permission in an attempt to regularise these departures from the plans. It is the Council's refusal of that application which led to this appeal.
8. The Council raises no objection to the main roof having been raised, and accepts that neighbouring living conditions have not been harmed by the rear extension. It also acknowledges that the level of impact on the street scene is acceptable. I concur with the Council's view on all these matters for the reasons set out in the officer report on the application, and having regard to what I saw on my site visit.
9. The Council says that the cumulative effect of the pre-existing single storey rear extension, the erection of the first floor and roof rear extension have resulted in a bulky addition to the property failing to respond to the original proportions, footprint and design of the house, and significantly altering this single dwellinghouse, harming the character and appearance of the area.
10. It strikes me, however, that the Council permitted the single storey extension in 2018, and the full width first floor extension in 2019. The sole material difference between the 'as-built' and that permitted in 2019 in respect of the rear extension element, is that it has been built about 0.7m deeper than permitted.
11. The Council does not consider this to be 'immaterial', but in my view, the additional depth has made very little difference, in terms of the effect on the original dwelling or surroundings, to that which the Council had already permitted. Moreover, the depth of the rear gardens in this part of the street, give rise, in combination, to a comfortable sense of spaciousness, within which the extended dwelling fits appropriately.
12. Accordingly, I find that the completed development, taking account of the full planning history, sits acceptably in its visual and spatial context with regard to the host property and its surroundings. I therefore find no conflict with those provisions of Core Policy 8 of Slough Core Strategy 2006-2026 requiring development proposals to provide high quality of design which appropriately responds to its context or with Policies H15, EN1 and EN2 of the Slough Local Plan (2004) which indicate that proposals should respect and respond to the proportions of the dwelling, as well as to the appearance and design of the vicinity in order to preserve or enhance the character and appearance of the street scene.

⁴ Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010.

⁵ This measurement is not disputed by the appellant

Other matters

13. Since the development is complete no conditions are necessary. For the avoidance of doubt, the plans submitted with the application and subject of this permission are: the unreferenced location and block plans and plans Ref HUSSAINI PLAN 001; 002; 003; 004; 004A; 005; 006 & 007A.
14. All other matters raised in the representations have been taken into account. Whilst not decisive in my considerations, I note that none of the immediate neighbours objected to the original application on being consulted.
15. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusion that the appeal should be allowed.

G Powys Jones

INSPECTOR