The Planning Inspectorate

Appeal Decision

Site visit made on 24 May 2022

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th May 2022

Appeal Ref: APP/J0350/D/21/3288543
29 New Road, Langley, Slough, SL3 8JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Mr and Mrs Okeke against the decision of Slough Borough Council.
- The application Ref. Y/17291/004, dated 24 September 2021, was refused by notice dated 4 November 2021.
- The development proposed is the erection of a single storey rear extension (which would extend beyond the rear wall of the original house by 6m, with a maximum height of 3.21m and an eaves height of 3m.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the amenity or living conditions of the occupiers of neighbouring properties.

Reasons

Background

3. The appeal site comprises a semi-detached property lying in a residential area of mainly similar properties. It is of two storey form although at the time of my visit a large dormer window in the rear roof slope of the property was under construction.

Effect on living conditions

4. In assessing this issue I have had regard to the Council's Residential Extensions Guidelines Supplementary Planning Document (SPD) 2010. However, as this was adopted prior to the Government's relaxation of 'permitted development' this limits the weight that can be given to its provisions.

5. The proposal is to extend out 6m with a structure 3m high at the eaves. This exceeds the guidance in the SPD which limits rear extensions at a semi-detached property to 4.25m. However, I give more weight to the actual impact the addition would cause.

6. In terms of the relationship with the neighbouring property No. 27 this is separated from the host property by a narrow pedestrian access alongside both houses. No.27 already appears to have been extended at the rear and there is also a 1.8m high fence (presently covered with ivy) along the party boundary. Given these factors I am satisfied that the proposed extension would not have an adverse effect on the outlook from this property or harm the living conditions of the occupiers.

7. In relation to the adjoining semi No.31 the affect here would be more profound. Again there is a 1.8m fence along this party boundary and although this is covered in ivy and creepers to well above this height, such vegetation could not be retained with the construction of the proposed extension.

8. Having regard to the degree of the projection of the flank wall of the extension almost on the party boundary and the height of the structure, the physical and visual impact of the solid structure would have an overbearing and dominating effect on the outlook of No.31. Moreover as the adjoining property of No.33 also appears to have been extended at the rear, the further extension would enclose the main private outlook from the rear of No.31 and the enjoyment of its garden to an unacceptable degree. On this basis I find that the proposal conflicts with the provisions of Core Policy 8 which in part seeks to ensure that new development respects the amenities of adjoining occupiers.

9. This harm and conflict with the relevant policy in the development plan is not outweighed by any other factor which indicates that prior approval should not be granted.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR