

Appeal Decision

Site visit made on 27 March 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/J0350/D/22/3313879

6 Bader Gardens, Slough SL1 9DN

- 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 Marcin Ludwin against the decision of Slough Borough Council.
 - The application Ref P/19883/001, dated 22 August 2022, was refused by notice dated 11 October 2022.
 - The development proposed is a first floor side extension with two Velux windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area and upon the living conditions of the occupants of 8 Bader Gardens, with specific reference to outlook.

Reasons

Character and Appearance

3. The appeal site relates to a detached house located within a residential estate and a staggered building line. The host dwelling is set behind 8 Bader Gardens with an attached garage to the north facing flank elevation.
4. The proposal would be built over the garage and consequently it would be well set back from the principal elevation. In addition it would not extend as far back as the rear elevation of the garage, with a small mono-pitch roof element proposed. The main roof of the extension would be set down from the main ridge and therefore I consider it would appear subservient to the host dwelling.
5. However, notwithstanding the staggered building line, no 8 is built right on the shared boundary with the appeal site with only a narrow passageway providing pedestrian access to the rear garden of the appeal site separating the two. By virtue of its very nature the first floor side extension would bring the two storey built form of nos 6 and 8 to approximately 1m. The Council's Residential Extensions Guidelines Supplementary Planning Document adopted January 2010 (SPD) states in paragraph 5.4 that in cases where a two storey/first floor side extension exists and is built up to the boundary, planning applications for

similar extensions on the neighbouring property will not normally be permitted unless a minimum 2m gap can be achieved at first floor level between the two extended properties. Whilst the southern flank elevation at no 8 appears to be original as opposed to an extension, nonetheless the scheme would render it as more cramped in appearance than the existing situation whereby the view over the garage roof would be lost, along with the associated spaciousness of the immediate locality.

6. Whilst there would not be an actual terracing effect caused due to the fact that there would be a degree of separation maintained, nonetheless I consider that the proposal is contrary to the SPD, as well as Policy 8 of the Slough Local Development Framework Core Strategy adopted December 2008 (CS) and Policies H15 and EN1 of the Adopted Local Plan for Slough 2004 (LP) that require high quality design that respects its location and surroundings; and that proposals to existing dwellinghouses will only be permitted if there is no significant adverse impact on the existing street scene having regard to, amongst other things, layout and siting.

Living Conditions

7. Due to the aforementioned staggered building line, approximately half of the depth of the proposed extension would project beyond the existing rear elevation of no 8. The appellant's proposed first floor plan shows that the extension would not conflict with a 45° line drawn from the centre of no 8's closest first floor rear window and I consider that would also be the case with regard to its window below at ground floor level. However this extension, whilst lower than that of the main dwelling, would still provide a quite substantial high blank elevation in close proximity to the immediate rear sitting out area of no 8; there would also likely be some additional overshadowing caused as well, although I note that this has not formed part of the Council's formal reasons for refusal, but nonetheless is referred to within the Officer report.
8. In addition to conflicting with the SPD's requirements that extensions should not be overbearing on neighbouring properties or result in loss of outlook, I also find that the proposal is contrary to CS Core Policy 8 and LP Policies H15 and EN1 which together require proposals to respect the amenities of adjoining occupiers, ensuring that there is no significant adverse impact upon them and requiring proposals reflect a higher standard of design and be compatible with, amongst other things, their relationship to nearby properties.

Conclusion

9. Therefore having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR