



Appeal Decision

Site visit made on 28 November 2023

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2023

Appeal Ref: APP/J0350/D/23/3328818

35 Lansdowne Avenue, Slough SL1 3SG

- 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 Khan against the decision of Slough Borough Council.
 - The application Ref P/08268/005, dated 8 June 2023, was refused by notice dated 8 August 2023.
 - The development proposed is a single and two and half storey side infill extension with pitch roof, loft extension, single storey rear extension, internal alterations and ancillary rear outbuilding.
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Decision

1. The appeal is dismissed insofar as it concerns a single and two and half storey side infill extension with pitch roof, loft extension and a single storey rear extension.
2. The appeal is allowed and planning permission is granted solely for an ancillary rear outbuilding, at 35 Lansdowne Avenue, Slough SL1 3SG, in accordance with the terms of the application, P/08268/005, dated 8 June 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans solely insofar as they relate to the ancillary rear outbuilding: 10-23-11 Revision E and 10-23-13.
 - 3) The materials to be used in the construction of the external surfaces of the ancillary rear outbuilding shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be constructed in the side elevation of the outbuilding hereby permitted that faces towards the boundary with the attached dwelling at no. 37 Lansdowne Avenue.
 - 5) The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling at 35 Lansdowne Avenue.

Main issue

3. The main issue in this appeal is the effect on the character and appearance of the host dwelling and locality.

Reasons

4. The appeal concerns a two storey semi-detached dwelling that fronts onto Lansdowne Avenue. There is a fairly large two storey projection that extends across part of the rear of no. 35 and the attached dwelling. At first floor level this is set in from the side of the property and the roof slopes down towards the flank. These factors tend to limit the bulk of this part despite its appreciable depth. However, the proposal includes a pitched roof addition to the side of the rear projection at first floor and roof level above the single storey addition below. The face of the new gable end would rise vertically towards the top of the rear projection, with its roof slopes extending appreciably from the host slope. It would also extend noticeably beyond the first floor side wall of the rear projection.
5. The gaps to the top of the host roof and the side wall of the front part of the dwelling when looking from the rear would be relatively modest, with there also being a more noticeable set back from the main rear wall of the dwelling. However, despite these factors and for the reasons given above, this feature would introduce significant additional bulk and mass. It would also compete with the gable end of the original dwelling and result in a somewhat unusual and incongruous double gabled side elevation.
6. Between this and the rear of the main body of the dwelling would be a flat roofed dormer addition. This would be somewhat squeezed between roofslopes giving a fairly awkward and cramped appearance. A flat roof single storey extension would also wrap around the end and side. To the side this would replace a noticeably subordinate ground floor addition that is set back from the end of the double storey projection and has a roof that slopes down towards the rear. However, the single storey extension replacing it would extend the full length of the projection and significantly beyond.
7. Because of its fairly considerable length and the side wall being set in a single plane with no articulation, it would be an unduly elongated feature with excessive horizontal massing. This would be the case despite the height of this flat roof part being relatively modest. There is a rear single storey addition at the attached dwelling. However, there is no evidence before me that this wraps around the entire side elevation of that part of the rear two storey projection at no. 37 and I was unable to check this at my site visit. In any event, this would not justify the substantial additional bulk and scale arising from the cumulative impact of the different parts of the proposed development.
8. Unlike the relatively clean lines and simple form of the existing rear projection the development would give rise to this part of the dwelling having an unduly cluttered and complex appearance. The enlarged rear projection would be a disproportionately large, bulky and overly dominant feature. The existing rear projection is itself a fairly unusual presence in its rear garden environment by comparison to nearby buildings. However, in these circumstances, the proposed additions would result in a particularly abrupt contrast. Moreover, because of the gap to the neighbouring block of flats, the detrimental visual impact of the development would be readily apparent in views from the street in Lansdowne Avenue.

9. There is a Certificate of Lawfulness for a dormer addition to the side which would be larger than that now proposed. However, this could not be constructed in conjunction with the gabled addition forming part of the appeal scheme. Furthermore, unlike the latter it would not extend beyond the side wall of the rear projection at first floor level. The Appellant refers to consent existing for a single storey rear extension that would be 6m deep. However, I have not been provided with the full details to enable any meaningful comparison with the current proposal. In consequence, these matters lend no significant support to the appeal.
10. For the above reasons, it is concluded that the character and appearance of the host dwelling and locality would be harmed. There would be conflict with Core Strategy 2008, Core Policy 8 and The Local Plan for Slough 2004, Policies EN1, EN2 and H15. Taken together and among other things, these are concerned with proposals achieving an attractive and high quality of design, while being compatible with the original structure and their surroundings in respect of visual impact, proportions, scale, bulk and massing.
11. The depth of the single storey extension beyond the end of the rear projection would exceed the maximum dimension given in the Council's Residential Extensions Guidelines Supplementary Planning Document (SPD). Nevertheless, even if it was considered acceptable in this regard, the wraparound nature of the overall ground floor addition would result in it not being subordinate to and in proportion with the original house. As with the other additions proposed, it would therefore conflict with this guidance in the SPD.
12. In the National Planning Policy Framework it is indicated that decisions should ensure that developments satisfy a number of considerations. These include that the proposed development should add to the overall quality of the area, as well as being visually attractive and sympathetic to local character, which would not be achieved in this case.
13. It is acknowledged that the living conditions of the occupiers of adjacent dwellings would not be adversely affected and the proposal is also acceptable with regard to the effect on car parking and amenity space. However, the lack of harm in these respects are neutral factors that weigh neither for nor against the development.
14. The single storey rear outbuilding would not have any detrimental impact and the Council has raised no objection in relation to this part of the overall scheme. Moreover, it can be constructed independently of the rear additions so that a split decision is appropriate. The appeal therefore succeeds but only in relation to the rear outbuilding.
15. The harm that would arise in relation to the remainder of the scheme provides a particularly compelling objection in respect of a fundamental planning consideration that is, in itself, sufficient reason to justify rejecting this aspect. Therefore, regardless of whether there would be an appropriate level of headroom in relation to bedroom four, which is disputed by the Appellant, it is determined, taking account of all other matters raised, that the appeal fails in respect of these parts of the proposal.
16. With respect to the outbuilding a condition specifying the approved drawings is needed to provide certainty. The facing materials should match those of the host dwelling to ensure an appropriate appearance. The elevation facing the

attached dwelling at no. 37 would abut the rear garden boundary. As a result, it is necessary to remove permitted development rights to insert windows in this elevation in order to protect the privacy of the adjacent occupiers. A condition requiring the outbuilding to be used for purposes ancillary to the use of the associated dwelling is justified for the avoidance of doubt. This would be sufficient to require an appropriate use of the building and I am not persuaded that it is necessary to refer to matters such as industrial or business use as the Council suggests.

M Evans

INSPECTOR