



Appeal Decision

Site visit made on 15 January 2024

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th February 2024

Appeal Ref: APP/J0350/D/23/3327102

194 Burnham Lane, Slough SL1 6LE

- 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 K Toor against the decision of Slough Borough Council.
 - The application Ref P/14962/002, dated 21 March 2023, was refused by notice dated 16 May 2023.
 - The development proposed is double rear, second floor side and single front extensions.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A neighbour states that the red line on the submitted plan is incorrect as it includes land in his control. Given the scale of the site plan and the extent of the alleged discrepancy, this is hard to discern. However, an appellant does not have to own a site to seek planning permission, and such disputes can be properly dealt with under legislation dealing with private legal rights.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the host property and the area; and
 - the living conditions of adjacent occupiers, with particular regard to outlook and overshadowing.

Reasons

Character and appearance

4. The houses along this stretch of Burnham Lane are mainly large and detached, faced in red brickwork and tiles, and set back from the highway. In terms of their form, and notwithstanding various extensions and alterations, they are generally well-proportioned, and exhibit recurring themes, such as principally hipped roofs, but with front projections which are hipped or gabled, some of which contain bay windows.
5. Given the dwellings' characteristics, Policy H12 of The Local Plan for Slough (2004) ('LPS') identifies this stretch of Burnham Lane as falling within a Residential Area of Exceptional Character ('RAEC'). Here it states that proposals will not be permitted if they would have a detrimental impact upon

- the RAEC's character having regard to matters such as whether extensions would change the scale and nature of the property.
6. The proposed side extension would sit above part of the existing garage. Although its roof would not be set down from the host's ridgeline, it would respect the form and appearance of the original property. Its side wall would be set in from the side wall and hipped roof at 192 Burnham Lane ('No 192'), thus providing visual separation in the streetscene, such that the buildings would still appear detached. I observed that the gaps between buildings in Burnham Lane are quite varied, and in that context, it would not be incongruous or out of place.
 7. To the rear the scheme includes a two storey projection which would be 4 metres deep. Unlike most nearby two storey rear extensions that I observed, it would not be set down from the host's ridge and it would cover over half the original rear face of the property, contrary to the advice at paragraph 2.1.5 of the Slough Residential Extensions Guidelines Supplementary Planning Document 2010 ('SPD'). As a consequence, it would have a substantial scale and bulk. Considered cumulatively with the first floor side extension and 6 metre deep single storey rear extension, the proposal would overwhelm the original building.
 8. Whilst the rear of the property is not visible in the streetscene, those extensions would be seen from the gardens of nearby properties. In those views their cumulative scale and bulk would appear out of proportion to the host, and they would have a domineering impact on the area. Considered as a whole, the scheme would therefore conflict with the SPD, including its advice at DP3 that extensions should be subordinate and in proportion to the original house.
 9. The proposed plans show that the bay window, which has been recently inserted to the front of the property, would be replaced with a window with a segmental brick arch, similar to others in Burnham Lane. The Council raises no objections to that, or to the other proposed alterations to the front of the property. Given their fairly limited scale and the presence of broadly similar development nearby, neither do I.
 10. The host sits on a particularly deep plot, and the scheme would be faced in matching materials. I observed the nearby outhouses referred to by the appellant, but there are few comparisons to be drawn between that form of development and the scheme before me. I do not have the planning history, or full details, of the extended property at 128 Burnham Lane, or the other properties in this RAEC referred to by the appellant, and I cannot be certain how they appear to the rear.
 11. For the above reasons, the scheme would harm the character and appearance of the host property and the area, including the RAEC. Its scale would conflict with LPS Policy H12. It would also conflict with LPS Policies H15, EN1 and EN2 and Core Policy 8 of the Slough Core Strategy 2006-2026 (2008) ('SCS'). Amongst other things, and in broad terms, these set out that development shall be to a high standard of design, which is compatible, or in keeping, with the existing property and its surroundings having regard to matters such as scale, massing, bulk, proportions and visual impact. It would also fail to comply with the SPD, and the requirement for good design in the National Planning Policy Framework 2023 ('Framework').

Living conditions

12. No 196 Burnham Lane ('No 196') has a single storey rear extension spanning its rear face, and a two storey rear projection next to the appeal site. The closest glazed openings in those projections are set in from the side boundary and face down that property's own rear garden.
13. In terms of the relative position of their rear faces, the proposed ground floor and two storey extensions here would not extend markedly further compared to those at No 196, and they would be set in from the side boundary. In that context, and given the limited height of the proposed single storey rear extension, and the outlook from No 196's openings, the proposal would not have a harmful overbearing impact.
14. The proposed ground floor rear extension would project further to the rear compared to the conservatory at No 192, and it would abut the boundary on this side of the plot. However, it would have a low single storey height and a flat roof, which would limit its mass. Additionally, whilst I understand that No 192's conservatory provides the primary light source to its lounge and kitchen, it spans most of that property's wide plot, is set in from the boundary, and has a brick side wall. Consequently, the scheme would not have a significantly overbearing or over dominant effect on the occupants of No 192.
15. Given the single storey extension's limited height, and the conservatory's siting, size and translucent roof, on the basis of the evidence before me, the scheme would not result in a significant loss of light or cause significant overshadowing.
16. The proposed rear extensions would be deeper than considered generally acceptable by the SPD. However, that constitutes advice and each proposal should be judged on its individual merits. For the above reasons, having regard to the particular circumstances here, the scheme would not have a significantly harmful impact on the adjacent occupiers' living conditions.
17. It would not therefore conflict with those parts of SCS Core Policy 8 and LPS Policies H12, H15, EN1 and EN2 which require development to have a compatible relationship with nearby properties, and not to have a detrimental impact upon amenity, having regard to matters including overshadowing. Nor would it conflict with the requirement for a high standard of amenity at paragraph 135 of the Framework.

Conclusion

18. The scheme would not harmfully impact adjacent occupiers' living conditions, but it would harm the character and appearance of the host property and the area. Having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR