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## Appeal Decision

Site visit made on 27 January 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 10 February 2025**

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**Appeal Ref: APP/J0350/D/24/3350334**

**2 Century Lane, Slough, SL2 4FP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Shahid Khan against the decision of Slough Borough Council.
  - The application Ref is P/20487/000.
  - The development proposed is the erection of a single-storey rear extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effects of the proposal upon the living conditions of neighbouring occupiers at 4 Century Lane, with particular regard to visual impact and overshadowing, and upon the living conditions at the appeal property with regard to amenity space provision.

### Reasons

3. The appeal property is a semi-detached, three-bedroom dwelling with a detached garage to the side and rear with two tandem parking spaces on a hardstanding in front. The property is part of a modern residential estate of 104 two, three and four-bedroom houses that was granted planning permission in 2016 (Ref P/16006/000). Condition 29 of the planning consent removed permitted development rights for extensions to the dwellings. The proposal is for the erection of a single-storey flat roof extension across the full width of the dwelling to a depth of 3m and with a height of 3m to the top of side parapet walls.
4. The Council's *Residential Extensions Guidelines Supplementary Planning Document* (SPD) was adopted in 2010. Its stated purpose is to principally provide additional guidance on how to interpret and implement Core Policy 8 (*Sustainability and the Environment*) of the Slough Local Development Framework Core Strategy 2006 – 2026 (CS), adopted in 2008, when assessing extensions to residential properties. SPD paragraph 1.2.6 states that the ultimate aim of the guidance is to ensure that the residential areas within Slough remain good places to live and are not adversely affected by inappropriate extensions.

*Living Conditions at 4 Century Lane*

5. The SPD deals with single-storey rear extensions at section 6.0. Its detailed design guidance at EX20 and EX21 states between them that the maximum depth for a single-storey rear extension on a semi-detached house, as measured from the rear main wall of the original house, is 4.25m, and that the maximum height for a flat roof extension abutting a residential boundary is 3m.
6. The appeal proposal would satisfy the Council's guidelines in terms of its depth and height. As such, I am satisfied that there would be no impact upon the outlook from any rear facing ground floor windows to the neighbouring attached property at 4 Century Lane that would be significant.
7. Although the rear garden to No 4 is small and already enclosed to some degree by the size and position of its own detached garage adjacent to the side boundary shared with 6 Century Lane, the scale of the side elevation to the proposed extension would not be excessive. I accept that it would project above the height of a typical rear garden fence, but it would not project deep along the shared common boundary. As such, I am satisfied that it would not impose itself as having a visually dominant or overbearing presence when seen from the neighbour's garden.
8. Due to the east facing gardens and position of No 2 to the south side of No 4, there would be some shadow cast by the extension over part of the neighbour's rear garden for part of the day. However, due to the modest size of the appeal proposal, I am not persuaded that the garden would be impacted to a degree that would be harmful in terms of its overall use and value as an outdoor amenity space.
9. Overall, I am satisfied that there would be no harm to the living conditions at 4 Century Lane. As such, there would be no conflict with CS Core Policy 8 or Policies H15 (*Residential Extensions*), EN1 (*Standard of Design*) or EN2 (*Extensions*) of The Local Plan for Slough, adopted in March 2004 (LP), as far as between them all they seek to ensure that new development safeguards the amenity of adjoining occupiers.

#### *Living Conditions at 2 Century Lane*

10. Section 11.0 of the SPD deals with garden space and boundary walls. Its detailed design guidance EX48 states that rear extensions will not be permitted unless, for two/three-bedroom houses, the usable retained rear garden has a minimum depth of 9m, or where that cannot be achieved, a garden size of 50sqm or above.
11. The Council points out that the appeal property already has a rear garden space that falls just below 50sqm. The extension would erode the overall size of the garden further and would reduce its depth to well below the normal requirement of 9m. The proposal would represent a form of development the SPD specifically advises against. As a typical semi-detached house amongst many similar properties in the immediate locality, I can see no specific reason the Council's guiding principles should be set aside in this instance.
12. Although the garden would be regular in shape, it would be very small when judged against the Council's standards and when compared with the garden sizes of other similar properties in the area. In my assessment, its restricted size would severely impact its function as a meaningful and useful outdoor amenity area that would be suitable to serve a family sized dwelling.

13. The appellant has pointed to the nearby Norway Drive Recreation Ground and open countryside to the west side of Wexham Road. I accept that these would be within reach on foot by some and would provide access to open space and some recreational facilities. However, they would not provide the immediate and day-to-day opportunities for use of an outdoor space that would normally be associated with a family home of the size in question.
14. Overall, I find the reduced and restricted size of the rear garden resulting from the proposed extension would be harmful to the living conditions of future occupiers at 2 Century Lane. By failing to follow the SPD's guiding principles, the proposal would not display the quality of design needed to provide a practical and attractive living environment. As such it would conflict with Part 2 of Core Policy 8. For the same reasons there would be conflict with LP Policies H14 (*Amenity Space*) and H15 as well as the aims and objectives of the National Planning Policy Framework for achieving well-designed places.

#### *Other Matters*

15. The appellant has submitted a photograph showing a single-storey rear extension to a property nearby and within the same wider estate development at 32 Boundary Road. No other information has been provided. I do not know the planning history, any background to the extension, or the site-specific context relating to the development. I note however the appellant's own assertion that similar properties nearby benefit from a wide range of differing garden spaces. From the information provided I cannot draw any comparison with the circumstances at the appeal property.

#### **Conclusion**

16. Notwithstanding my findings on the first main issue, for the reasons given above the appeal is dismissed.

*John D Allan*

INSPECTOR