

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: July 2023

PART 1

FOR INFORMATION

Planning Appeal Decisions

Set out below are summaries of the appeal decisions received recently from the Planning Inspectorate on appeals against the Council's decisions. Copies of the full decision letters are available from the Members Support Section on request. These decisions are also monitored in the Quarterly Performance Report and Annual Review.

WARD(S)

ALL

Ref	Appeal	Decision
2020/00149/ENF	5, Essex Avenue, Slough, SL2 1DP Additional single storey extension and self contained outbuilding	Appeal Dismissed 23 rd June 2023
2020/00245/ENF	118 Hawthorne Crescent Self contained outbuilding being rented	Appeal Dismissed 23 rd June 2023
2020/00664/ENF	32, Knolton Way, Slough, SL2 5TB The erection of a self-contained outbuilding	Appeal Dismissed 23 rd June 2023
P/19514/003	26, Farnburn Avenue, Slough, SL1 4XT Construction of a single storey front and side extension, part single, part two storey rear extension and loft conversion with 2no rear dormers and 2no front rooflights In relation to the above scheme, it was noted from the previously refused scheme P/19514/002 which was dismissed at appeal, The Inspector stated that: "I agree with the Appellant, Mr Mahmood, that the design and finishes of the resulting enlarged dwelling would be generally sympathetic to those of the existing house and its immediate neighbours. The side extension when seen from the road would also be acceptably subordinate to the main house and be built with matching brickwork, rendered finish and have matching roof tiles. The considerable increase in the size of the house caused in part by the expansion of the volume of the roof, resulting in a flat section on top, (described by the Council as a flat crown measuring 3.6 metres deep), would not easily be seen from directly in front of the house. However, this substantial increase in the bulk of the house could be seen from the sides." It was officers interpretation from this that the first floor rear extension would result in a substantial increase in	Appel Granted 13 th July 2023

the bulk of the house to the rear. It was also considered that the inspector had not commented on whether this element, the front extension and roof would be harmful. Officers had considered that a full width front extension would be in keeping with the character of the area, given the proximity to the neighbouring 24 Farnburn Avenue which included a bay window as per the existing designs. Furthermore, in design terms, the ground floor rear extensions did not comply with design guidelines or previous prior approvals. This is considered to also be the case with the first floor roof extension which width wise exceeded 50% of the width of the original dwelling, failing to comply with DP3 of the residential design guidelines. The proposed roof also was not of the typical roof typology in the area, and would be appear out of scale and detrimentally conflict with character and appearance immediately adjoining dwellings. Officers had reviewed the sites referred to within the submitted planning application, where it is asserted similar development within the street has been approved. However, while there may be some similarities in some aspects, the developments as a whole or the sites themselves are not directly comparable with the proposal, nor do they define the predominant character of the area. Furthermore, it was considered that the enlargements would have potentially harmful impacts to the residential amenity of the occupiers of No.24 Farnburn Avenue as a result of the added bulk and scale.

With respect to the Inspectors decision, it was considered in their view that, whilst a full width front extension would be full width, it is reflective of similar styled single storey projections to the front elevations of other properties along the street, it would not appear odd or unusual in this context. Although it was agreed that the roof enlargements would be bulky, it would be reflective of No.32 Farnburn Avenue which was of a similar design. The appeal proposal would also retain physical gaps between the appeal property and the neighbouring buildings on either side, this would prevent the terracing effect that would have resulted from the proposal presented in the previous appeal. The proposed alterations to the rear of the building would be predominately out of view from public vantage points, and where visible, would be perceived in the context of similar alterations to the rear of other properties along Farnburn Avenue. As a result, the Inspector did not feel these additions were incongruous. Following officers visit to the site, due to the single storey nature of the proposals, the recently removed outbuildings that existed upon the site boundary, alongside the retention of an open outlook over the rear garden of No. 24, it was felt by the inspector that that No.24 would retain a good standard of living environment both internally and externally for existing and future occupiers.



Appeal Decision

Site visit made on 8 June 2023

by **J Evans BA(Hons) AssocRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 July 2023

Appeal Ref: APP/J0350/D/23/3321170

26 Farnburn Avenue, Slough SL1 4XT

- 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 Kasar Mahmood against the decision of Slough Borough Council.
 - The application Ref: P/19514/003, dated 7 February 2023, was refused by notice dated 14 April 2023.
 - The development proposed is described as the construction of a single storey front and side extension, part single, part two storey rear extension and loft conversion with 2no rear dormers and 2no front rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey front and side extension, part single, part two storey rear extension and loft conversion with 2no rear dormers and 2no front rooflights in accordance with the terms of the application Ref: P/19514/003, dated 7 February 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: Site Plan; 26 Farnburn Avenue Slough Sections and Block Plans; 26 Farnburn Avenue Slough Existing Elevations; 26 Farnburn Avenue Slough Existing Layout plans; 26 Farnburn Avenue Slough Proposed Elevations; and 26 Farnburn Avenue Slough Proposed layout plan.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted 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 other than those expressly authorised by this permission shall be constructed on the east elevation.

Application for Costs

2. An application for costs was made by Mr Kasar Mahmood against the decision of Slough Borough Council. This application is the subject of a separate decision.

<https://www.gov.uk/planning-inspectorate>

Preliminary Matters

3. I have amended the description from the original application form to reflect the description from the decision notice and on the appeal form, as I consider this better reflects the proposal before me.
4. This appeal follows a previous unsuccessful appeal¹ (the previous appeal). Due to how recently this decision was issued and the similarities between the previous appeal and the current appeal proposal, the previous appeal is of relevance in my considerations. Nonetheless, I have determined the proposal before me on its particular merits.

Main Issues

5. The main issues are the effects of the proposal on:
 - the character and appearance of the area; and,
 - the living conditions of existing and future occupiers of neighbouring dwellings.

Reasons

Character and appearance

6. The appeal property is a detached two storey dwelling situated part way along Farnburn Avenue. Whilst properties along the street are predominately two storey and have a similar plot size, there are a number of variations with form, massing and overall design. As a result, there is no prevailing building style.
7. The proposal seeks to extend the appeal property to the front, side and rear, alongside seeking adaptations to the roof to provide accommodation in the loft space.
8. The previous appeal at the site included a proposed two-storey side extension. This has been reduced to a single storey scale as part of this appeal, seeking to address the concerns raised by the Inspector regarding the potential for a terracing effect, due to the then proposed two-storey form occupying the width of the appeal site. Otherwise, the proposal largely reflects the scheme that was considered under the previous appeal.
9. The proposed front extension would be of a modest lean-too style and would in part replace an existing bay window and porch overhang. Whilst this extension would run across the entirety of the front elevation of the host dwelling, it is reflective of similar styled single storey projections to the front elevations of other properties along the street, it would not appear odd or unusual in this context.
10. The proposed side extension would represent a subservient addition replacing a garage, in my view this would result in a visual improvement over what exists at present as perceived from Farnburn Avenue.
11. Turning to the proposed enlargements to the roof, I agree with the comments of the previous Inspector, that the increase in bulk of the house would be seen from the sides. However, the design approach proposed would be generally reflective of the form and massing of the roofline of No. 32 Farnburn Avenue,

¹ APP/J0350/D/22/3305564 dismissed on 27 January 2023

for which the side elevation of the appeal property when viewed from the east would be perceived against. There are also a number of other properties in the immediate area to the appeal site that have a similar overall scale and massing. The appeal proposal would also retain physical gaps between the appeal property and the neighbouring buildings on either side, this would prevent the terracing effect that would have resulted from the proposal presented in the previous appeal. As a consequence, I am satisfied that these alterations would have an acceptable effect upon the characteristics of the appeal property and its surroundings.

12. The other proposed alterations to the rear of the building would be predominately out of view from public vantage points, and where visible, would be perceived in the context of similar alterations to the rear of other properties along Farnburn Avenue. Therefore, these alterations will not appear incongruous.
13. For the above reasons, I am satisfied that the proposal would not appear out of place with the prevailing characteristics of the appeal property and that of the wider street scene.
14. As a result, the appeal proposal would accord with Policies EN1, EN2 and H15 of the Local Plan for Slough (the LP) and Core Policy 8 of the Core Strategy (the CS) and the Residential Extensions Guidelines Supplementary Planning Document (the Extensions SPD). These collectively, amongst other matters, require development to be of a high standard of design which are compatible with their context and immediate surroundings. The proposal would also align with paragraph 130 of the National Planning Policy Framework (2021) (The Framework), which amongst other matters requires development to be sympathetic to local character and history, including the surrounding built environment.

Living conditions

15. The appeal proposal would bring a single-storey form adjacent to the side elevation and rear garden of No.24 in a similar position to a recently removed store outbuilding and domestic garage. No.24 does not have openings fronting towards the appeal site but has windows facing over its rear garden.
16. Following my visit to the appeal site, and viewing the relationship with No. 24, due to the single storey nature of the proposals, the recently removed outbuildings that existed upon the site boundary, alongside the retention of an open outlook over the rear garden of No. 24, I am satisfied that No.24 will retain a good standard of living environment both internally and externally for existing and future occupiers.
17. Turning to the effects upon No.28, I agree with the Council that due to the existing relationship that exists between the appeal property and No. 28, alongside the separation distances and the presence in part of existing intervening extensions, this property will also retain a good standard of living environment as a consequence of the appeal proposal.
18. Therefore, I find that the living conditions of existing and future occupiers of neighbouring properties would be satisfactorily safeguarded. On this issue, I find no conflict with Policies EN2 and H15 of the LP, which amongst other matters require that extensions should not result in the significant loss of light,

create significant overshadowing or have a significant adverse effect on the amenity of adjoining occupiers. The proposal would also accord with paragraph 130 of the Framework, which amongst other matters requires development to provide a high standard of amenity for existing and future users.

Conditions

19. The standard time limit is required together with a condition listing the plans in the interests of certainty. I have also included a condition that requires the external materials to be used, to match those on the existing building. I also agree with the Council that in the interest of the existing and future living conditions of the occupiers of No. 24 Farnburn Avenue, it is necessary to remove permitted development rights in relation to window openings on the east elevation fronting towards this property.

Conclusions

20. For all the above reasons, having regard to all matters raised, I conclude that the appeal should be allowed.

J Evans

INSPECTOR