
Appeal Decision

Site visit made on 23 January 2017

by Christa Masters MA (hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31st January 2017

Appeal Ref: APP/T0355/D/16/3164992

13 Cavendish Meads, Sunninghill, Berkshire SL5 9TB

- 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 Roland Kear against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/03116, dated 26 September 2016, was refused by notice dated 18 November 2016.
 - The development proposed is side and rear extension over existing garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council have advised that there was a typing error on the decision notice and the reference to the Ascot Sunninghill and Sunningdale Neighbourhood Plan is incorrect. I have proceeded to determine the appeal on this basis.

Main Issue

3. The effect of the proposal on the living conditions of the existing and future occupiers of No 11 Cavendish Meads.

Reasons

4. The appeal property is a detached residential dwelling with a flat roofed single storey garage attached to the flank elevation of the property. The property extends almost the entire width of the plot. The dwelling is located towards the head of the cul de sac. The properties are located along a staggered building line on this side of Cavendish Meads. As a result of the location of the turning head for the cul de sac, No 13 is located significantly further back into the plot than No 11.
 5. The proposal would see a first floor extension created over the existing flat roof garage. The officers report advises that this boundary is located some 800mm from the boundary with No 11. I was able to view the appeal site from No 11 as part of my site visit. The property has a formal garden area which appeared well used. Given the proximity of the proposed first floor extension to this rear garden as well as the size and scale of the extension proposed, I share the concerns expressed by the Council that the proposal would result in a visually dominant and overbearing effect. The flank elevation would be particularly
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evident from both the rear garden but also would have a visually dominant effect from the window to the kitchen which is located close to the boundary with No 13.

6. The appellant has stated that other properties along Cavendish Meads have been granted planning permission for extensions. I have no details concerning these other approvals or where they may have taken place. In any event, each proposal must be considered on its own merits and in light of the particular circumstances of the appeal site concerned as I have done here. My attention has also been drawn to the existing relationship between the flank elevation of No 11 and No 9. The appellant states that this arrangement was part of the original design when the properties were constructed. The flank elevation to No 11 facing No 9 is also not as deep as the flank elevation at the appeal site. The similarities I can draw between the two sites are therefore limited.
7. In terms of daylight, the appellant's grounds of appeal state that the rear garden of the appeal property faces south. This conflicts with the information provided on drawing 00A concerning the orientation of the plot. In addition, I have no technical information to support the appellant's assertion that there would be no loss of sunlight to the occupiers of No 11 as a result of the appeal proposal. The weight I can attach to this statement is therefore limited.
8. On balance, given the separation distances involved and the size and scale of the extension proposed so close to the boundary, I am concerned that the proposal could have an overbearing impact on the property which would result in material harm to the living conditions of the existing and future occupiers of No 11. I also unable to conclude with any certainty that the proposal would not result in overshadowing or loss of light to No 11.
9. I therefore conclude the proposal would result in material harm to the living conditions of the existing and future occupiers of No 11 Cavendish Meads. It would, as a result, be in conflict with policy H14 of the LP. This policy advises, amongst other things, that extensions should not significantly affect the amenities of adjacent properties. For the same reason, the proposal would also fail to accord with paragraph 17 of the Framework, which seeks to secure, amongst other things, high quality design and a good standard of amenity for existing and future occupants of land and buildings.

Conclusion

10. For the reasons set out above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Christa Masters

INSPECTOR