
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/16/3164981

44 Newton Court, Old Windsor, Windsor SL4 2SN

- 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 Ms Sam Laing against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/02870, dated 6 September 2016, was refused by notice dated 1 November 2016.
 - The development proposed is part garage conversion into habitable accommodation, first floor side extension and amendments to fenestration.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a detached residential dwelling located on a prominent corner plot at the entrance to Newton Court. Newton Court is a cul de sac comprising detached dwellings and some flats of similar design and style set in similar sized plots. The appeal property is also highly visible from the rear as it backs onto an area of public open space fronting Burfield Road.
 4. My attention has been drawn to policy H14 of the Windsor and Maidenhead Local Plan (LP) 2003. This policy relates to house extensions and advises, amongst other things, that extensions should not have an adverse effect upon the character or appearance of the original property or adversely affect the street scene in general.
 5. The proposal would introduce a first floor side extension over the existing garage. The ridge height of the extension would match that of the host property. The garage is located in the most prominent corner part of the plot, and sits at an angle forward of the dwelling. As result of the scale and location of the extension, the proposal would result in a bulky and prominent addition to the property. It would in my view be a disproportionate addition to the property which would, in this prominent location cause material harm to the street scene and the host property.
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6. The Council contend the proposal would also result in the loss of an important gap to the side of the property which they consider contributes to the openness of the plot. From what I saw on the site visit, the existing property with garage is a readily visible feature in this established residential location. Given the first floor nature of the proposal, I am not convinced the proposal would result in the loss of an important gap as suggested by the Council.
7. I have noted the appellants view that the existing trees dwarf the dwelling. From what I saw on the site visit, I am unable to agree with this statement. The existing property is clearly visible as a domestic dwelling and the location and scale of the extension proposed would significantly increase the bulk and massing of the property.
8. I note the appellant has referred to other two storey side extensions which have been approved along Newton Court. However, I have no details concerning the particulars of these approvals, or the development plan policies in place when the applications were determined. I also note that none of the properties referred to are located in such a prominent position as the appeal site. The weight I can attach to this evidence is therefore limited. I also note the appellant has provided an extract from Manual for Streets. However, taking into account my conclusions, I do not consider that this extract in itself provides sufficient justification for the appeal proposal which would clearly conflict with the development plan policy referred to.
9. I therefore conclude the proposal would conflict with policy H14 of the LP. The proposal would also conflict with the Framework and in particular, paragraph 17 which seeks to ensure, amongst other things, that proposals should always seek to secure high quality design. In addition, the Council have also referred to Policy DG1 of the LP which is a design guidelines policy. Taking into account the wording of this policy, I am not convinced that it is directly applicable to the appeal proposal before me.

Other Matters

10. I acknowledge the appellant has provided detailed information regarding the family's desire to extend the property. However, this is not sufficient justification to allow a development which would clearly be at odds with the development plan policy outlined above.

Conclusion

11. 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