

Appeal Decision

Site visit made on 20 February 2017

by Christa Masters MA (hons) MRTPI

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

Decision date: 23rd February 2017

Appeal Ref: APP/T0355/D/16/3165153
8 Chilton Road, Maidenhead SL6 1XA

- 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 M Aslam against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/02515, dated 25 July 2016, was refused by notice dated 19 September 2016.
 - The development proposed is a 1st floor en suite. A front porch and extended bedroom over and a 2 bed loft conversion with 2 velux windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposal on the character and appearance of the area. Secondly, the effect of the proposal on the living conditions of the existing and future occupiers of No 10 Chiltern Road.

Reasons

Character and Appearance

3. The appeal property comprises a detached dwelling set within a relatively spacious plot. There is a wide pedestrian footpath which runs along the side boundary of the appeal property and No 10 which provides pedestrian access to Cotswold Close. The properties along Chiltern Road are similar in scale and design and a number of the properties have Georgian style features such as pillars to the front entrances.
 4. Policy H14 of the Royal Borough of Windsor and Maidenhead Local Plan (LP) 2003 advises at (1) that extensions should not have any adverse effect upon the character or appearance of the original property or any neighbouring properties, and should not adversely effect the street scene generally. In addition, policy DG1 sets out a number of design guidelines which will be used to assess new development proposals. These include amongst other things, that development should be compatible with the established street façade.
 5. The proposal has two distinct elements. In terms of the alterations to the front elevation of the property, these would include the addition of a triangular pediment, pillars, round windows at the ground floor level and the introduction
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of a gable feature at roof level. These alterations would alter the appearance of the host property. In particular, I have concerns that the additional glazing proposed at first floor level including the gable feature would present a bulky and dominant feature to the property. It would dominate the existing fenestration detailing to the front elevation of the property and cause material harm to the street scene as a result. I do however acknowledge that the pillars are an established part of the street scene as they are evident on a number of the surrounding dwellings.

6. Turning to consider the rear elevation, the proposal would include a cantilevered rear extension at first floor level. This element of the extension would permit an en suite to be created at first floor level. It would in my view present a modest extension to the rear of the property which would be proportionate in scale and form to the host property. The Council have raised concerns that the proposal would result in the loss of space and visual coalescence. However, given the separation distance which would be retained between the host property and No 10, as well as the existing pedestrian walkway between the properties, I am unable to agree with the Council's assertions in this regard.
7. However, the proposal would also include a rear roof dormer. The plans indicate that the roof dormer would be located on the central part of the roof. It would be a significant addition to the property in terms of its scale, depth and height. It would, as a result, fail to be proportionate in scale and form to the host property and would represent a dominant and bulky feature to the host property. The rear of the property is clearly visible from the public walk way to the side of the property. The two windows proposed also fail to relate to the existing fenestration detailing on the property in terms of their size, scale and positioning. The proposal would cause material harm to the host property and the character and appearance of the area. Whilst I note that the appellant has stated this element of the proposal could be completed without the need for planning permission, I have no evidence to support this statement. Moreover, each proposal can only be assessed on the basis of the evidence presented.
8. To conclude, the proposed front gable, fenestration detailing and rear dormer would result in material harm to the character and appearance of the area. The proposal would as a result conflict with policies H14 and DG1 of the LP outlined above.

Living Conditions

9. The Council have raised concerns that the rear extension would result in an overbearing impact on the occupiers of No 10 Chiltern Road. As I have already set out above, the boundary to the two properties is separated by a pedestrian walkway which is significant in width. There is also a significant screen in the form of a fence to the side boundary of No 10 facing the appeal site. The garage to No 10 is a single storey structure and this is recessed into the site and sits flush with the site boundary, also providing screening to the property. Taking into account the size and scale of the extension proposed as well as the separation distances involved and existing screening in place, I am not convinced that the proposal would have an overbearing impact in this regard.
10. The Council also state the proposal would be likely to cause overshadowing and loss of light to the side and rear windows and rear garden. There is one

window on the first floor main flank elevation of No 10 facing the appeal site. This window is recessed into the site and is therefore some distance from the extension proposed at the appeal site. The remaining fenestration detailing on the rear elevation of the property at ground floor level is screened to a certain degree by the existing garage. Taking into account the orientation of the properties as well as the existing screening in place, I am not convinced the proposal would result in material harm in this regard.

11. I therefore conclude on the second main issue, the proposal would not result in material harm to the living conditions of the existing and future occupiers of No 10 Chiltern Road. Notwithstanding my conclusions above in relation to character and appearance, in relation to the issue of living conditions, there would be no conflict with either policy H14 or DG1 of the LP. Furthermore, the proposal would accord with the Framework and in particular, paragraph 17 which seeks to secure, amongst other things, a good standard of amenity for all existing and future occupiers of land and buildings.

Other Matters

12. A number of third parties have raised concerns regarding the effect of the proposal on on street parking, drainage, the fact the property may be rented out and the effect of builders lorries on emergency vehicle access. I have also noted the concerns expressed that the proposal could set a precedent for future development and allow the property to become an HMO. However, I am only able to assess the proposal on the basis of the evidence before me which does not indicate this to be the case. A number of the concerns regarding parking appear to relate to an existing parking problem in the area. Given the size of the extension proposed, I am not convinced the proposal would have an adverse effect on this existing situation. In summary, these additional issues are not supported by any technical evidence and do not lead me to reach a different conclusion on the main issues before me.
13. An additional third party has raised concerns regarding the effect of the proposal on the existing privacy levels to the properties along Cotswold Close. However, taking into account the generous rear gardens and separation distances involved, I can see no reason to disagree with the conclusion reached by the Council on this matter and conclude that the proposal would not result in material harm in this regard.

Conclusion

14. For the reasons outlined above and taking all other matters into account, the appeal is dismissed.

C Masters

INSPECTOR