
Appeal Decision

Site visit made on 20 March 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 12 April 2017

Appeal Ref: APP/T0355/W/16/3163910

Littlefield, London Road, Sunningdale, Ascot SL5 0JN

- 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 Messer's Tilley and Acott against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/02272, dated 5 July 2016, was refused by notice dated 4 November 2016.
 - The development proposed is the construction of 4 no. houses with associated amenity and parking.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of 4 no. houses with associated amenity and parking at Littlefield, London Road, Sunningdale, Ascot SL5 0JN in accordance with the terms of the application, Ref 16/02272, dated 5 July 2016, subject to the conditions set out at the end of my decision.

Preliminary Matters

2. Amended plans were submitted at various stages with the appeal. These cover a revised layout and external works plan, first floor plans and elevations. The layout and works plan have been amended to show 2 existing trees which were previously left off the plans, and the internal layout of the proposed units has been altered to remove study rooms and replace them with larger en-suite bathrooms. This has necessitated the alteration to the first floor layout and elevation plans. The change in both cases responds to a concern of the Council's over the use of obscure glazing to habitable rooms.
3. The Council have not had chance to comment on the elevation plans. However, as the layout and works plan have been corrected to show existing circumstances, and the change in the internal layout/elevations merely changes the internal layout so that the rooms using obscure glazed windows are more suited to such, I do not consider that such changes are significant, or that the alterations covered in the revised plans would prejudice the interests of any third party the opportunity of consultation.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the area.
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Reasons

5. The appeal site is located off the busy arterial route of London Road. The site lies on the northern side of the road and consists of one large property set in a substantial front and back garden. Although close to the centre of the village, the area has a differing character to the area immediately around the commercial centre. Large properties in sizable plots predominate, with their impact on the street scene limited and mitigated by extensive mature landscaping to plot edges.
6. The site lies within an area defined as 'Leafy Residential Suburbs' in the Council Townscape Assessment¹. The Assessment describes such areas as low density residential suburbs comprising large detached houses in spacious irregular well treed plots, typically dating from the early 20th Century to the present day. The type is defined by large properties set well back from the road, behind dense/high ornamental hedges with gravel drives and gates. Despite the busy road, the area has a private character including private roads and gated communities.
7. Littlefield is a white rendered property. The derelict house appears to have an original 'L' plan with a gabled façade. Two unsympathetic flat roofed extensions, one at the front filling in the gap of the previous 'L' and to the rear add to the bulk of the property. Single storey pitched roof extensions lie on the right hand side of the property. The front extension in particular bears little resemblance to the form, proportions or massing of the original dwelling. Whilst the plot is bordered by substantial mature trees, at my visit in early Spring the front elevation of the house was still clearly visible from views from the opposite side of London Road. Views of the rear from a footpath to the north were more restricted, with only fleeting views possible of the rear elevation of the property, despite its distinctive colour.
8. The proposal seeks to demolish the existing property and construct 2 pairs of semi-detached dwellings. The substantial houses would be 2½ storeys high and are designed to appear as 2 large single homes, with one prominent porched front door and the other front door hidden in a side elevation. I consider in this respect that the design succeeds; the two large structures appear in their detailing, mass and fenestration to be two large single houses in the style of the surrounding area and would give this impression to passers-by; whilst 4 dwellings on such a site may have the potential to appear out of kilter with the surrounding density of development, the design of the scheme successfully appears to show 2 properties. This is also the case from the rear, where neither fenestration details nor the number of chimneys would appear excessive given the size of the structures. The design of such properties would enhance the local character and quality of the area, particularly given the design of the extended existing home.
9. The distance between the structures would be some 4m. This would not be especially large, yet would remain sufficient to clearly separate the two buildings, and the wider distances to the existing properties to the east and west would ensure that the buildings would not have a significant urbanising effect on the local area. In this respect I note and agree with the comments of the Neighbourhood Plan Delivery Group that the colouring on some plans does not clearly show the single storey side porch extensions. However, the porches

¹ Royal Borough of Windsor and Maidenhead Townscape Assessment June 2010

are plotted on the plans, with Plot 1 having a flat roofed protrusion and Plot 4 a hipped roof one. Whilst these extensions are closer to the side boundaries than the bulk of the properties, they are not significant in depth. With this and their height in mind I do not consider that the porches are too close to the boundaries or would lead to pressure from future residents to fell or prune the trees to the side.

10. The building line would roughly follow the existing pattern in the street to both main elevations, and significant areas of front and rear gardens would remain. The existing screening of the site would be retained and the rear gardens of some 24m depth would retain a sufficient size to ensure that they do not harm the character and appearance of the area; whilst these gardens would be narrower than some of those in the surrounding area, they would continue to be well screened by the vegetation on the rear boundary and would be of a reasonable width to allow sufficient private garden amenity space to meet the recreational needs of the future residents of the proposal. I also consider that the width would be ample enough to allow green landscaping along their boundaries. As stated above, views of the rear of the property from the nearby public footpath are limited, and whilst views may be clearer from the upper rear windows of adjacent properties, landscaping would help to mitigate such effects.
11. Concern is raised over the amount of parking that would be required for the four dwellings, and whether such parking would be adequate given additional need for visitors and deliveries. However, such an area, whilst larger than currently provided would not be out of character within the area, with The Coppers and Mayfair House to the west both having large parking areas to the front of their properties, and the semi-detached dwellings of the Hawthorns and Police Houses having a large and recently expanded parking zone. Furthermore, hard and soft landscaping could be conditioned to ensure that the materials and detailing of this area was sufficiently low key to ensure it is representative of the surrounding area. In terms of the quantity of parking, I note that the Council's Highways Officer raised no objection subject to conditions. Given the sustainable location of the appeal site I consider that the proposal provides adequate provision for parking and access.
12. A previous appeal² for the site was dismissed in April 2016. However, on the basis of the information that I have been provided with, this was a significantly different scheme. That proposal sought the construction of 5 houses, with plots 4-5 appearing as 2 town houses and plots 1-3 clearly also being multiple dwellings. The level of car parking required would also be greater than the scheme before. The previous scheme clearly created 4 or 5 units visually, whereas for the reasons given above I consider that the scheme before me does not.
13. Concern is raised over the cumulative effect that the proposal may have on the character area when considered a fairly recent approval for 4 dwellings at Lime Tree Lodge, to the west of the site. However, I note that the Inspector deciding that appeal considered that the proposal would not have an adverse effect on the character of the area, as I have on this proposal. I do not consider therefore that when taken together a cumulative negative effect would be created.

² APP/T0355/W/15/3133806

14. I therefore conclude that the proposal would not have an adverse effect on the character and appearance of the area. The scheme would comply with policies NP/DG1, NP/DG2, NP/DG3, and NP/EN3 of the Neighbourhood Plan³ which together seek to ensure that all new development demonstrates good quality design, respecting the character and appearance of the area, enhancing the local character and quality, providing sufficient private garden amenity spaces with parking designed to fit the character of the proposed development, and that proposals for new dwellings on private gardens should not result in an unacceptable reduction of the green space of the garden itself and not result in an unacceptable impact on the landscape of the site.
15. The proposal would also comply with saved policies DH1, H10 and H11 of the Local Plan⁴, which together state that the design of new buildings should be compatible with the street façade, and harm should not be caused to the character of the surrounding area, showing high standards of design and landscaping and not create a scale or density which would be incompatible with the character of the area.

Other Matters

16. I am referred to a number of appeal decisions in the Borough which all lie within the same townscape assessment area. Such appeals were dismissed, with the Inspector on each occasion concluding that the proposals would be contrary to relevant policies of the Neighbourhood Plan. However, I have concluded above that the proposal in this case would comply with such policies. Moreover, each case must be considered on its own merits.
17. The changes in the submitted layout plans to show bathrooms and en-suite windows at higher levels on the elevations of the buildings would ensure that living conditions of the future residents of the proposal are maintained. In addition, and for the same reasons, as well as to avoid overlooking of adjacent properties, I agree that conditions to ensure that such windows are obscure glazed and non-opening, and that no new windows are inserted into such elevations are necessary.

Conditions

18. I have imposed the standard conditions regarding time for implementation and accordance with plans, noting the revised plans submitted. In the interests of the character and appearance of the area, I have imposed conditions for external materials and finished floor levels of the proposals to be agreed by the Council prior to development commencing. Conditions are also included concerning hard and soft landscaping and boundary treatment proposals for the site are agreed, in the interests of ecology and the character and appearance of the area. Given the number of mature trees on site and the positive effect that these have on the character of the area, tree protection measures are required to be carried out in accordance with the submitted arboricultural statement, and for similar reasons a condition concerning service routes is also included.
19. Conditions suggested by the Council concerning sustainable design and details of the construction of the building to address the Borough's ageing population are also included, in the interests of achieving a sustainable form of

³ Ascot, Sunninghill & Sunningdale Neighbourhood Plan 2011-2026, April 2014

⁴ The Royal Borough of Windsor and Maidenhead Local Plan 1999, incorporating alterations June 2003

development. I have also imposed a condition concerning the need for a construction management plan, in the interests of highways safety and the living conditions of neighbouring residents. Conditions are also including concerning phasing of parking, gates and vehicular access, again in the interests of highway safety.

20. The Council recommend that a condition is imposed restricting permitted development rights. Planning Practice Guidance states that such conditions should only be used in exceptional circumstances. I have approached this matter carefully, and consider that given the prevailing character of the surrounding area and the extent of development proposed on site by the scheme that the condition is in this case justified, to ensure that the character and appearance of the area is maintained. Finally, I have imposed the Council suggested condition concerning a scheme for the mitigation of the development upon the Thames Basin Heaths Special Protection Area, in the interests of the SPA and ecology, and for bat boxes to be erected on site, again in the interests of ecology. Some of the Council's suggested conditions have been slightly altered in the interests of accuracy and precision.

Conclusion

21. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Jon Hockley

INSPECTOR

- 1) The development hereby permitted shall be commenced within three years from the date of this permission.
- 2) No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG) and for provision towards Strategic Access Management and Monitoring (SAMM). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied.
- 3) No development shall take place on the exterior of the buildings or for any new hardsurfacing until samples/schedules of the materials to be used on the external surfaces and hardsurfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
- 4) No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

- 5) Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
- 6) Prior to the commencement of development details of the siting and design of all walls, fencing, gates or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development.
- 7) The hard surface of the driveway and parking area shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
- 8) No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
- 9) Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works.
- 10) All windows at first floor level or above in the side elevations of the buildings, shall be of a permanently fixed, non-opening design, with the exception of an opening top light that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the windows shall be retained as such.
- 11) No further window(s) shall be inserted at first floor level or above in the side elevations of the dwellings.
- 12) Prior to the commencement of development full details/plans of both hard and soft landscape works (including new tree planting and showing existing trees to be retained), shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.
- 13) The erection of fencing for the protection of any retained tree and any other protection specified (including no dig driveways, porous surfaces,) shall be

undertaken strictly in accordance with the Arboricultural Impact Assessment and Method Statement Rev D 31.08.2016 Ref PRI 19129 aia amsD and Tree Protection Plan PRI 19129-03D prepared by ACD Environmental. The protective fencing shall be erected before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.

- 14) Prior to the commencement of development, details of the route of all new services and a method statement for their installation, shall be submitted to and approved in writing by the Local Planning Authority.
- 15) Any gates provided shall open away from the highway and be set back a distance of at least 7 metres from the edge of the carriageway of the adjoining highway.
- 16) Prior to the substantial completion of development, bat boxes shall be installed on mature trees in accordance with the recommendations of the ecology report prepared by PJC Consultancy dated 6 November 2014.
- 17) The development hereby permitted shall be carried out in accordance with the approved plans as follows: FD 16-1387-50, FD 16-1387-54 Rev A, FD 16-1387-55 Rev C, FD 16-1387-56 Rev B, FD 16-1387-100, FD 16-1387-101, Rev B, FD 16-1387-102, FD 16-1387-103, FD 16-1387-104, FD 16-1387-105 Rev A, FD 16-1387-106 Rev A, FD 16-1387-107 Rev A, FD 16-1387-110 Rev A, FD 16-1387-111 Rev B, FD 16-1387-112 Rev A, FD 16-1387-113 Rev A, FD 16-1387-114 Rev A, FD 16-1387-115 Rev A, FD 16-1387-116 Rev A, FD 16-1387-117 Rev B, FD 16-1387-700 Rev B, FD 16-1387-701 Rev B, PRI 19129-03D.