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## Appeal Decision

Site visit made on 26 September 2017

**by C J Ford BA (Hons) BTP MRTPI**

**a person appointed by the Secretary of State for Communities and Local Government**

**Decision date: 12<sup>th</sup> October 2017**

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**Appeal Ref: APP/T0355/D/17/3179685**  
**26 Hemwood Road, Windsor SL4 4YU**

- 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 T Shaba against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
  - The application Ref 17/00744, dated 28 February 2017, was refused by notice dated 24 May 2007.
  - The development proposed is new front entrance / 2 storey side extension / part 2 storey rear extension with ground floor single storey rear extension with rooflights and modifications to existing roof.
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### Decision

1. The appeal is dismissed.

### Preliminary matter

2. The description of the proposed development in the header above is taken from the original application form. In dealing with the application the Council changed the description to, 'Garage conversion into habitable accommodation, first floor side and single storey rear extension, new front chimney and alterations to existing roof'.

### Main issues

3. The main issues are:
  - i. the effect of the proposed development on the character and appearance of the area, and
  - ii. the effect on the living conditions of the occupiers of No 28 Hemwood Road with particular regard to visual impact.

### Reasons

#### *Character and appearance*

4. The appeal property is a two storey detached house that is located within a post war residential estate. The character of this particular eastern part of Hemwood Road is derived from its built form which comprises three pairs of house 'types' and the manner in which the street rises fairly steeply towards the south.

5. The first house type includes Nos 32 and 30 Hemwood Road. These are gable ended houses that mirror one another. The second is No 28 and the appeal property. These are gable fronted houses with distinct asymmetric roofs that likewise mirror one another. The third is Nos 24 and 22. These are wider gable fronted houses which unlike the other two pairs do not mirror one another.
6. Located between the main two storey parts of No 28 and the appeal property are attached single storey flat roof garage elements. At the appeal property this extends close up to the boundary whereas at No 28 it is set back a short distance. Notwithstanding the fact the appeal property stands well forward of No 28 and at a higher level, the wide gap above the garages provides a sense of spaciousness which positively contributes to the character and appearance of the locality.
7. The proposed development would fundamentally change the existing asymmetric roof form of the house and replace it with a symmetrical front facing gable. The seeming intention would be to replicate the roof design of Nos 24 and 22. However, a close examination of those two houses reveals they also have asymmetric roofs, albeit of a more subtle appearance. Consequently, the proposed roof design would be a departure from the established built form within this part of the street scene and it would appear incongruous.
8. Moreover, the additional bulk at first floor level, above the existing garage element, would not be set back a minimum of one metre from the boundary in accordance with Policy H14 of the Council's Local Plan 2003 (LP). In combination with the forward projection beyond the front elevation of No 28, the development would prominently diminish the present wide gap in the built form and undermine the positive contribution that is made to the sense of spaciousness within the locality.
9. It is therefore concluded that the proposal would have an unacceptably harmful effect on the character and appearance of the area. It would conflict with Policies DG1 and H14 of the LP. Amongst other things, these policies seek to ensure that extensions do not have an adverse effect on the street scene and that special attention is given to the 'roofscape' of buildings. It would also conflict with the National Planning Policy Framework ('the Framework') which seeks high quality design.

#### *Living conditions*

10. Owing to the cumulative effect of the proposed additional high level bulk, its positioning close up to the boundary with No 28, its deep forward projection beyond the front elevation of No 28 and the rise in the land levels, the development would have an unduly oppressive and overbearing visual impact that would be unacceptably harmful to the living conditions of the occupiers of No 28. It would conflict with Policy H14 of the LP which seeks to ensure that extensions do not have an adverse effect on neighbouring properties and their amenities. It would also be contrary to the Framework which seeks a good standard of amenity for all existing and future occupants of land and buildings.

#### **Other matters**

11. The appellant is of the view that the proposed extension matches the size and design of neighbouring properties. As previously noted, it appears the proposal seeks to replicate the design of No 24. However, it must be appreciated that

the relationship between No 24 and the appeal property is very different from the relationship between the appeal property and No 28 in respect of the positioning and design of the buildings. The neighbouring house at No 24 is positioned alongside the tall steeply pitched roof to the appeal property. Unlike the appeal scheme, it does not have an adverse effect of any kind.

12. It was observed that the house type of which the appeal property is an example occurs elsewhere in the local area. Whilst some of those houses have been extended at first floor level, the proposed scheme has been considered on its own merits, having regard to its specific relationship with the neighbouring property and the character and appearance of the area.
13. It is accepted the scheme has been sensitively designed to protect the living conditions of the occupiers of No 28 with regard to privacy and light. There would also be the benefit of additional internal accommodation at the appeal property. Nevertheless, these considerations do not outweigh the harm previously identified above.
14. Although there have been no objections from neighbouring occupiers to the proposed scheme, it has to be considered against planning policy. The proposal would conflict with relevant policies in the LP and as noted earlier, the Framework seeks to ensure a good standard of amenity for future occupants of properties.
15. Whilst the Council referred to Policy P4 of the LP in its reason for refusal, this appears to be an error. The policy relates to car parking provision and the officer report confirms the scheme would meet the Council's parking standards.

### **Conclusion**

16. For the reasons set out in the preceding paragraphs and having regard to all other matters raised, the appeal is dismissed.

*C J Ford*

APPOINTED PERSON