
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: 19 October 2017

Appeal Ref: APP/T0355/D/17/3178951
22 Murray Court, Ascot SL5 9BP

- 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 Christopher Barry against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/03443, dated 24 October 2016, was refused by notice dated 20 April 2017.
 - The development proposed is a two storey, full depth, side extension.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. It is understood that planning permission was previously granted for a ground floor side extension with a similar footprint to that in the appeal scheme, (part of application Ref: 15/02280/FULL). As that component had not been constructed at the time of the site visit, the whole of the two storey appeal scheme remains a proposal and is duly considered.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The character of this part of Murray Court is partly derived from the detached form of the houses and the backdrop of mature trees. The importance of the latter does not simply stem from the visibility of the trees above the roofline to the houses. It also stems from their visibility through the gaps between the houses.
5. The layout of the street results in the fairly wide gap between the main two storey built form of the appeal property and No 23 Murray Court being a prominent focal point in public views when approaching from the north. The visible backdrop of trees between the two houses therefore makes a particularly positive contribution to the verdant setting and sense of spaciousness within the locality.
6. The gap is unusual in relation to property boundaries as the majority of the area forms part of the appeal site. As a consequence, the flank of No 23 is only

set back a short distance from the boundary. With the proposed scheme leading to the ground floor of the main built form of the appeal property extending up to the boundary, it would result in the dwelling appearing cramped with in its plot.

7. Furthermore, owing to a combination of the close proximity of the flank of No 23, the roof height of the single storey element and the angle at which the dwellings are observed from the north, it would create the visual impression that the two houses are linked. In doing so, it would undermine one of the key characteristics of the area that the properties are of an intrinsically detached form. Whilst the extension would replace an existing lean-to element, its low roof and screening by soft landscaping means that it does not have the same linked visual effect as the proposal.
8. At first floor level the front corner wall of the extension would be set back 1m from the boundary and the gap would increase towards the rear due to the splayed nature of the plot. A discernible visual gap between the extension and the flank of No 23 would thereby be retained. Nevertheless, the existing wide gap and conspicuous view of the backdrop of trees would be diminished to such a degree that it would be harmful to the street's present verdant setting and general sense of spaciousness. The manner in which the ground floor would visibly follow the splayed boundary whilst the first floor would be parallel with the existing two storey built form would also result in a contrived appearance that would detract from the street scene.
9. It is noted the appellant considers the proposal accords with Policy H14 of the Council's Local Plan 2003 (LP) which specifies at criterion 4) that a minimum gap of 1m should be kept between any extension and an adjoining property boundary at first floor level and above. Whilst the Council disputes the adherence to the specified minimum gap owing to the eaves overhang, it is unnecessary to deliberate on this matter as there is a need to have regard to the remainder of the policy. The earlier conclusions confirm the proposal fails to accord with criterion 1) of the policy which specifies that extensions should not adversely affect the street scene in general.
10. The benefit of the proposed extension is acknowledged, namely the provision of additional internal accommodation. The fact the extension would be constructed of materials that match the existing house and it would continue across the existing ridge height and front elevation is also recognised. However, these considerations do not outweigh or overcome the harm identified above.
11. Whilst the appellant has drawn attention to a limited number of other examples in the locality where the gap at first floor level is similar to the proposed scheme, those properties do not occupy a comparably prominent position within the street scene. Furthermore, the built form at the ground floor level does not display the linked or contrived visual appearance that would arise from the appeal development. The proposal has been considered on its own merits and having regard to its specific situation. The fact there have been no objections from interested parties does not dispel the need to consider the proposal against the extant planning policy framework.
12. It is therefore concluded that the proposed development 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 and Policies NP/DG2 and

NP/DG3 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan 2014. Amongst other things, these policies seek to ensure that extensions do not have an adverse effect on the street scene or harm local character. It would similarly conflict with paragraph 60 of the National Planning Policy Framework which sets out that local distinctiveness should be reinforced.

13. The development would also conflict with the Council's Guidance Note 1 on House Extensions which specifies that a minimum gap of at least one metre should be kept between any wall of a two storey extension and a boundary with an adjoining property to provide a visual separation between properties.

Conclusion

14. For the reasons given above and having regard to all other matters raised, the appeal is dismissed.

C J Ford

APPOINTED PERSON