



Appeal Decision

Site visit made on 6 October 2020 by Alex O'Doherty LLB(Hons) MSc MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2020

Appeal Ref: APP/T0355/D/20/3248125

31 Arthur Road, Windsor SL4 1RS

- 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 Ravi Grewal against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 19/02828, dated 10 October 2019, was refused by notice dated 11 December 2019.
 - The development proposed is described as, "Loft conversion through the formation of a rear roof dormer L shaped, and front roof lights".
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion through the formation of a rear L shaped roof dormer, and 2 no. front roof lights at 31 Arthur Road, Windsor SL4 1RS in accordance with the application, Ref 19/02828, dated 10 October 2019, subject to the following condition:
 - 1) The development hereby permitted has been carried out in accordance with the following approved plans: 31 002, location plan scale 1:1250, location plan scale 1:500.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. The description of development given in the Council's decision notice is: "Loft conversion through the formation of a rear L shaped roof dormer, and 2 no. front roof lights (Retrospective)". This is the description used to determine the application. As that description more accurately describes the development, the appeal has also been determined using that description of development. However, as 'retrospective' is not an act of development, this text has been removed.
4. The proposed development is already in place and I shall deal with the appeal on this basis.

5. It is clear from the Council's decision that it has no objection to the front rooflights. I have no evidence before me to reach a contrary view to the Council in this regard and therefore the consideration of this appeal focuses on the effect of the loft conversion through the formation of a rear 'L'-shaped roof dormer.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the host property and the surrounding area.

Reasons for the Recommendation

7. The appeal property is a two-storey Victoria-era dwelling located amongst a row of terraced properties situated in the Victorian and Edwardian Suburbs Townscape Assessment Area of Windsor. The original two-storey rear wing had a mono-pitched roof, and the works undertaken, which are the subject of this appeal, relate to a dormer on the rear roof slope and a roof extension above the rear wing.
8. It is evident that the scale and height of the works undertaken constitute a substantial change to the host property and have certainly increased its bulk. Nevertheless, the materials chosen are complementary to the host property and in my view its overall height is not out-of-scale with it. Thus, the appearance of the host property has been respected.
9. Importantly, the extended property is viewed amidst a number of other very similar flat-roofed and 'L'-shaped dormers, including those at Nos 27, 29, 35 and 37 Arthur Road. These developments have diluted the traditional appearance of this part of the terrace.
10. Due to its height, the development does appear more prominent than some of the neighbouring properties, but not to a great degree. I observed that the two-tone arrangement of the bricks conforms well to that seen at the adjoining properties. As such, whilst it does have the appearance of a second-floor extension, its similarity to the extensions at Nos 27, 29, 35 and 37 Arthur Road is such that the development appears entirely congruent with its immediate neighbours in terms of its size, scale, height, bulk, and materials. In its context it appears as a natural continuation of those other similar developments nearby and accordingly does not appear incongruent with the character of the area.
11. Although the planning applications for Nos 27, 29 and 35 Arthur Road were recommended for refusal but overturned at planning committee, the resulting developments now form the context. I have had regard to the refusals of planning permission on Arthur Road referred to by the Council¹, but in this case the immediately adjacent properties are the most relevant to my assessment, and those examples, being further away, are less so. Accordingly, they do not change my view as to the impact of the development on the street scene.
12. I therefore conclude that the development has an acceptable effect on the character and appearance of the host property and the surrounding area. The development complies with Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted 1999 (including alterations

¹ Including: Nos 23 (Local Planning Authority reference: 19/02844/FULL), 19 (Local Planning Authority reference: 19/00290/FULL), and 114 (Local Planning Authority reference: 19/01556/FULL) Arthur Road.

adopted 2003)), and Policies SP2 and SP3 of the emerging Borough Local Plan Submission Version (2017), and Policies QP1 and QP3 of the emerging Borough Local Plan Submission Version Proposed Changes (2019), which collectively provide that all new developments should positively contribute to the places in which they are located. It also complies with paragraph 127 of the National Planning Policy Framework ('the Framework') which provides that planning decisions should ensure that developments are sympathetic to local character.

Conditions

13. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal is allowed. I have considered the conditions against the advice on conditions set out in the Framework and the Planning Practice Guidance. As the development has been carried out I have omitted the standard time limit and materials conditions, as these are no longer necessary. A condition is necessary specifying the approved plans, to provide certainty.

Conclusion and Recommendation

14. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

RC Kirby

INSPECTOR