



Appeal Decision

Site visit made on 9 December 2020

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Ref: APP/T0355/D/20/3259966

12 Bray Court, Maidenhead SL6 2DR

- 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 A Chaudhri against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 20/01440, dated 17 July 2020, was refused by notice dated 28 August 2020.
 - The development proposed is first floor side/rear extension with mono pitch roof to the existing ground floor front element, part two storey, part first floor side/rear extension, enlargement of the existing rear dormer, alterations to fenestration and new outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side/rear extension with mono pitch roof to the existing ground floor front element, part two storey, part first floor side/rear extension and alterations to fenestration at 12 Bray Court, Maidenhead SL6 2DR in accordance with the terms of the application, Ref 20/01440, dated 17 July 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The external surfaces of the development hereby permitted shall be constructed in materials that shall match those used for the external surfaces of the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, all dated June 2020: 12BC03, 12BC04, 12BC05, 12BC07, 12BC08 and 12BC09, except in respect of the new outbuilding shown on plans 12BC07, 12BC08 and 12BC09.

Procedural Matter

2. The description of development in the fourth bullet point of the above header is taken from the original planning application form. However, the Appellant and Council have confirmed that the proposals do not include the enlargement of the existing rear dormer or the new outbuilding referred to and that the correct description of development should be that referred to above in my decision. I have determined the appeal on that basis.

Main Issue

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

Reasons

Main issue

4. The proposed extensions would significantly widen the existing house at first floor level. However, that width in itself would not be unusual within the context of the street where there are varying widths of houses and where Nos 11 and 13, either side of No 12, have both been extended to the side at first floor level.
5. The proposal would noticeably reduce the gaps at first floor level on both sides. However, in the context of the street scene generally, where the gaps between dwellings vary, including at first floor level, and where the pleasant sense of openness is largely achieved by the degree of set back of the dwellings from the road, the proposed remaining gaps would not be unexpected.
6. In respect of the gaps, I have also had regard to policy H14 of The Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted in June 2003) (the Local Plan). This sets out, amongst other things, that side extensions should not alter the character of the street by linking adjacent properties and that a minimum gap of at least one metre should be kept between any extension and an adjoining property boundary at first floor level and above. In this case, the proposed extension adjacent to No 11 would be 1 metre from the boundary, which together with the similar degree of separation of No 11 from that boundary, would maintain a noticeable visual break.
7. The front boundary of the site is narrow due to the corner position at the end of the cul-de-sac. However, from that narrow point the site then opens out such that at the line of the front elevation of the house itself it is significantly wider. Additionally, the increased massing of the dwelling and extent of gap closure as a result of the proposed extensions would be minimised with the proposed hipped roof design. Although not a characteristic feature of roof designs generally in the cul-de-sac, in the context of the degree of variation in dwelling designs, this would be unlikely to stand out as a jarring feature.
8. No 12 is also offset from the direct line of sight along Bray Court due to its corner position, No 11 being more prominently positioned directly at the head of the cul-de-sac. No 11 itself fills a substantial amount of that plot's width over two storeys adding to its prominence and drawing the eye. Therefore, although the extended No 12 would continue to be set slightly forward of No 11, its corner position would reduce its degree of prominence within the street scene generally, particularly given the significant screening or softening effect from two existing street trees at that end of the cul-de-sac when approaching along the street.
9. The intended alterations to the dwelling's fenestration have been designed to take account of the proposed extensions. They would match the appearance of the existing fenestration and their positioning would complement the form of the proposed enlarged dwelling.

10. For the above reasons, the proposals would represent an appropriate form of development within the street scene of Bray Court such that the resultant enlarged dwelling would not be a dominant, obtrusive or cramped feature. The proposed development would therefore not cause unacceptable harm to the character and appearance of the surrounding area. As such it would accord with policies DG1 and H14 of the Local Plan which together, amongst other things, require proposals for house extensions not to have any adverse effect upon the character or appearance of the original property or any neighbouring properties, nor adversely affect the street scene in general. It would also accord with Section 12 of the National Planning Policy Framework which relates to achieving well-designed places.

Other matter

11. The proposed development would retain the existing provision for off-street parking. Although the size of the dwelling would be increased, including an additional bedroom, I have no substantive basis to consider that this would be likely to result in the need for additional parking space or that it would result in obstructive on-street parking.

Conditions

12. The Council has suggested three conditions that it considers would be appropriate were I minded to allow the appeal. I have considered these in light of advice in the Government's Planning Practice Guidance. The standard time condition is necessary and, for the avoidance of doubt, and in the interests of proper planning a condition requiring that the development is carried out in accordance with the approved plans is also required, except in respect of the replacement new outbuilding shown on some of them which is not part of the proposals. Furthermore, in the interests of the character and appearance of the surrounding area, a condition would be necessary to ensure the use of external materials to match those of the existing dwelling.
13. The Council, in its officer report, suggests that a condition would be necessary to secure the protection of trees in front of the site, that are protected by Tree Preservation Order, during the construction of the proposed development. However, the degree of separation of those trees from the site would be likely to prevent them from being harmfully affected by that construction work. The Council's Tree Team also considers that a condition would be necessary to protect trees to the rear of the site from damage associated with the proposed development. However, due to the degree of separation of those trees from the proposed extensions and given the good sized rear garden at No 12, I have no substantive basis to consider that the proposed construction work would be likely to harmfully damage the integrity of those trees. Such conditions would therefore not be reasonable or necessary.

Conclusion

14. For the above reasons, I conclude that the appeal should be allowed.

Andrew Dawe

INSPECTOR