



Appeal Decision

Site Visit made on 15 February 2021

by Mr Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2021

Appeal Ref: APP/T0355/W/20/3263006

The Gables, 49 Whyteladyes Lane, Cookham, Maidenhead SL6 9LT

- 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 Simon Tong & Mr Kier Dungo against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref 20/01918, dated 29 July 2020, was refused by notice dated 25 September 2020.
 - The development proposed is described as: 'Proposed new semi-detached 3-bedroom dwelling. Proposed rear two storey extension to existing property. New vehicular access'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development as it appears on the Council's Decision Notice and appeal form, as opposed to that given on the application form. This is because it includes reference to a proposed first floor balcony feature and is thus full and comprehensive.
3. A revised version of submitted plan 1789/2 (Existing First Floor Plans, Elevations and Section) has been submitted at appeal stage in the interests of correctness. The revisions are minor and of no consequence to the makeup of the development proposed. I am thus content that no party with an interest in this appeal is prejudiced by me accepting the revised plan.
4. The emerging Borough Local Plan 2013-2033 (Submission Version, 2017) (the EBLP) has reached examination stage. However, it is my understanding that the examination process is continuing. Given that the content of its policies may yet change prior to formal adoption, the EBLP is at a stage that attracts limited weight. I shall consider the appeal on this basis.
5. The planning application that is the subject of this appeal was refused for three separate reasons. The third of which relates to the absence of satisfactory ecological information. A Preliminary Bat Roost Assessment (October 2020) has been submitted at appeal stage, which identifies that the existing dwelling offers low suitability for bats. The Council has now indicated that it no longer wishes to rely upon its third reason for refusing planning permission and I shall determine the appeal on this basis.

Main Issue

6. The effect of the proposal upon the character and appearance of the existing dwelling and surrounding area.

Reasons

7. The appeal site is of generous size and contains a single detached dwelling with a car port set to the side. Notwithstanding the close by presence of water treatment works and other commercial land uses, the site's surroundings are for the most part residential. A variety of different housing types, plot sizes and building materials are in existence such that a mixed residential character and appearance is in place local to the site.
8. The appeal property is of older origin when compared to the typical age of residential properties nearby and is distinctive in this sense. Indeed, the existing dwelling is sizeable and appears prominently in the Whyteladyes Lane streetscene. Its bulk and massing are moderated by virtue of stepped building lines and differing connecting roof elements, whilst a varying range of architectural details provide visual interest to the dwelling's elevations and further assist in breaking up its bulk. The spaciousness of the plot contributes towards the dwelling being read and experienced as a building of value and status in the local area.
9. The proposed rear extension (the extension) would predominantly be comprised of two adjoining gable-ended elements of two-storey height. The main such element would be set to the rear of existing two-storey built form, and its eaves and ridge heights would not be dissimilar to those exhibited by the host dwelling.
10. As set out in the Royal Borough of Windsor & Maidenhead Borough Wide Design Guide (June 2020) (the Design Guide), rear extensions should be sympathetic and subservient to the design of the main building. Indeed, the Design Guide states that extensions will be expected to respond positively to the form, scale and architectural style and materials of the original building.
11. A natural and complementary built-colour palette is intended and the extension's tiled and gable-ended roof forms would reflect the existing building's traditional style. Furthermore, an intended flat-roofed element (that would also in-part cover the proposed new dwelling) would have a low-key presence. However, a high number of contemporary features are intended, including significant elements of new glazing.
12. I am conscious that, as set out in the National Planning Policy Framework (February 2019) (the Framework), appropriate innovation or change should not be discouraged. However, many of the newly proposed openings and their surrounds would fail to fully complement the intricacies of the host dwelling's fenestration and architectural detailing. Furthermore, the comprehensive way in which the extension's elevations would be timber-clad would detract from the predominant brick-built finish of the host building. This is notwithstanding that exposed timbers are listed in the Cookham Village Design Statement Supplementary Planning Document (May 2013) (the SPD) as a commonly used material, and that the car port, an ancillary structure, is timber-clad.
13. It is the appellants' stance that the extension is intended to be read separately from the original part of the house. Indeed, the glazed link that is proposed has been referred to as a well-respected means of visually distinguishing between the old and new parts of a building. However, to my mind, a modern addition to an existing older property would only be likely to integrate successfully if genuinely subservient in size and form. The extension would not

appear subservient to the host dwelling, most particularly due to its height, width and excessive depth.

14. I acknowledge that the extension would occupy a discreet location and that potential visibility from publicly accessible vantage points would be limited, particularly if the extension were to come forward in conjunction with the new dwelling also proposed. Nevertheless, the extension would still have a distinct presence upon the site and be visible (at least in part) from various privately accessible neighbouring vantage points. Indeed, the extension would have an adverse and overpowering influence upon the host dwelling.
15. I acknowledge that, in footprint terms, the intended plot ratios of the existing dwelling (as intended to be extended) and of the newly proposed dwelling would be nothing out of the ordinary when compared to the typical extent of plot coverage exhibited elsewhere in the immediate area. Indeed, there are tightly defined plots in existence close by and I understand that further housing development at relatively high density is likely to come forward locally in the future. However, consideration of whether proposed development proposals would appear cramped or out of place is not a wholly numerical consideration.
16. Indeed, the proposed new dwelling, when viewed in conjunction with the existing dwelling to be retained and extended, would cover close to the full width of the site at full two-storey height. Significant massing above ground floor level is intended and, when viewed from Whyteladyes Lane (the Lane), the proposed built form would appear excessively bulky and cramped upon the site. Indeed, reflective of this, the proposed north-facing elevation would be prominent and extensive when experienced from the Lane. It would be of stark and unsympathetic composition notwithstanding a change in brick detailing that is proposed and a single dormer gable feature that is intended.
17. Whilst the new dwelling would incorporate matching materials and seek to repeat architectural elements and roof forms exhibited by the existing dwelling, it would introduce significant bulk and mass to the site and would represent a domineering and discordant addition. Indeed, it would not read as subservient to the host property notwithstanding its intended setback positioning and slightly set-down height. Indeed, much of the existing dwelling's well-proportioned charm would be lost or heavily eroded by virtue of the new dwelling's intended introduction. This would particularly be the case should these negative effects be considered in conjunction with the extension's impact.
18. For the above reasons, the proposal would cause harm to the character and appearance of the existing dwelling and surrounding area. The proposal conflicts with Policies DG1, H10, H11, H14 and Appendix 12 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted June 2003), the Design Guide and the SPD in so far as these policies and guidance set out that planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area, that new buildings should sit comfortably in their surroundings and that extensions should not have any adverse effect upon the character or appearance of the original property.

Other Matter

19. Reference has been made to the Government's Nationally Described Space Standard (2015). The first-floor plan for the proposed dwelling indicates the provision of a single bedroom of small size. Nevertheless, when considered in the context of the scheme as a whole, I am content that satisfactory and suitably spacious internal living arrangements would be provided for future occupiers of both the existing dwelling (intended to be reconfigured) and the newly proposed dwelling.

Planning Balance

20. It is common ground between the main parties to this appeal that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The presumption in favour of sustainable development, as set out at paragraph 11 of the Framework is thus engaged. For decision-making this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework's policies taken as a whole.
21. The Framework sets out, amongst other design-based provisions, that planning decisions should ensure that developments add to the overall quality of an area, are visually attractive as a result of good architecture, are sympathetic to local character and establish or maintain a strong sense of place. I have identified that the proposal would conflict with several development plan policies that are broadly consistent with the Framework's aforementioned provisions. I thus attach significant weight in the planning balance to the considerable harm that would be caused to the character and appearance of the existing dwelling and surrounding area.
22. Turning to the scheme's benefits, it would deliver an additional residential unit in a location with good access to local facilities and services and in a Borough where there is currently a housing land supply shortfall. It is also the case that the latest Housing Delivery Test results (published 19 January 2021) indicate that recent levels of housing delivery in the Borough have not fully met the corresponding number of homes required. Whilst an additional dwelling represents a meaningful contribution in such circumstances, the delivery of only one additional unit would not make a clear and noticeable difference to the overall housing land supply position in the Borough. This would be case even should a significant supply shortfall currently exist. I thus apportion this benefit of the scheme moderate weight.
23. Whilst the proposal would promote an effective use of land and utilise a previously developed area of the site, when factoring in the relatively small scale of proposed development under consideration, I apportion limited weight to any benefit of the scheme in this sense. The intended extension would deliver enlarged and improved living accommodation, which is a benefit that attracts limited weight given that such improvements concern an existing unit of housing. In addition, any biodiversity enhancements to be delivered would realistically be anticipated to be limited and would attract commensurate weight in the planning balance.
24. Having considered the benefits and adverse impacts of the scheme before me, I conclude that the harm and associated policy conflicts that I have identified would significantly and demonstrably outweigh the proposal's benefits when

assessed against the Framework's policies taken as a whole. The presumption in favour of sustainable development, as set out in the Framework, does not therefore apply. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

25. For the reasons given above, the appeal is dismissed.

Andrew Smith

INSPECTOR