



Appeal Decision

Site Visit made on 12 April 2021

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/T0355/D/20/3263911

86 Badger Close, Maidenhead SL6 2TE

- 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 Ruman Rahman against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 20/02169, dated 21 August 2020, was refused by notice dated 28 October 2020.
 - The development proposed is ground floor wraparound extension and all associated works at 86 Badger Close.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property (No 86) and the surrounding area.

Reasons

3. No 86 is a 2 storey high semi-detached house. The proposed extension would be to the rear and side of the house and it would not be seen from the road. However, it would be visible from the attached neighbouring dwelling as well as from upper floor windows to nearby flats to the rear of the plot.
4. The extension would be single storey. However, it would be a sizeable addition as it would be markedly wider than the house, would project a significant distance into the back garden and would wrap around the rear and side of the dwelling. Also, its large flat roof would contrast starkly with the pitched roof of the house. As such, the proposal would dominate the host property and would be of a discordant appearance. The use of matching materials would not address or overcome the unsympathetic scale and form of the extension.
5. A significant part of the back garden would remain open and so the development would not appear cramped. Also, the proposal would not affect the street scene. Nevertheless, it would be clearly visible from other properties and so its incompatibility to the existing house would cause detriment to the character of the area, albeit that this would be a localised effect.
6. Flat roof additions to the rear of nearby houses can be seen over boundary fences from the site and from the street through gaps between dwellings. However, these appear to be minor extensions and no example of a similar size and form to the proposal has been brought to my attention. As such, these existing developments do not set a precedent that justifies the appeal scheme.

The site is not in a conservation area but the aim to ensure high quality design relates to development in all locations.

7. For the above reasons, I conclude the proposal would have a harmful effect on the character and appearance of the host property and the surrounding area. In these regards, it would not accord with saved policy H14 of the Royal Borough of Windsor and Maidenhead Local Plan 2003 (LP). Amongst other things, this seeks to ensure extensions do not harm the character or appearance of the original property or its surroundings. I find no conflict with LP policy DG1 as the development would not affect the street façade.

Other Matters

8. The proposal would be acceptable in terms of its effect on the living conditions of nearby residents. Acceptability in these regards is a neutral factor in my assessment. No party other than the Council has objected to the proposal and positive pre-application advice was provided by Council officers. However, these factors fail to influence my views on the merits of the scheme.
9. If the appeal is dismissed, there is a greater than theoretical possibility that an extension would be constructed under permitted development rights (PDRs). However, no evidence has been submitted to show PDRs would allow a scheme of a similar size and form to the proposal. As such, I am unconvinced that any alternative scheme permissible under PDRs would be as harmful as the appeal development in terms of its effect on the host property and its surroundings. Therefore, I attach limited weight to the fallback position in my assessment.
10. The proposal would allow the reconfiguration of the dwelling to meet the appellant's accommodation needs and a greater degree of flexible use. However, such benefits are not dependent upon the appeal scheme and could be secured through a proposal that more closely reflects the character of the host property. I therefore attach limited weight to this factor in my consideration of the appeal.

Conclusion

11. The harm caused in respect of the main issue is significant and sufficient to find that the scheme would be contrary to the LP when read as a whole. The benefits and other considerations do not justify allowing the appeal contrary to the development plan and so I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR