



Appeal Decision

Site visit made on 12 July 2021

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2021

Appeal Ref: APP/T0355/D/21/3271592

6 Fairfield Road, Wraysbury, Staines, TW19 5DU

- 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 Shafiul Syed against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 20/03532, dated 2 November 2020, was refused by notice dated 23 February 2021.
 - The development proposed is First floor Side extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development upon the character and appearance of the area; and,
 - whether the proposed development would lead to an increased risk of flooding.

Reasons

Character and appearance

3. Fairfield Road comprises predominantly detached houses set back from the road mainly behind paved or gravel driveways. House designs vary but most have substantial roof dormers providing accommodation in the roof space. There are gaps between the side walls of houses and their boundaries. Consequently, houses sit within their plots, rather than up to the edge of them. These gaps are a key characteristic of the street scene. In several cases the gaps are larger on one side of the house providing side access to garages, rear gardens, or additional car parking. This is the case with the appeal site and the neighbouring property, No. 8. As a result, the gap between them is more pronounced.
4. The proposed development would comprise a first floor extension above an open car porch. It would abut the boundary with, and thus close the gap between the host dwelling and, No 8. Because of the distance between No 8's side wall and the boundary with the appeal site enough space would remain between the houses to prevent them appearing to join, thus largely avoiding a terracing affect. Nonetheless, the proposed development would fill the space to

the side of the appeal property, which I have identified as a key characteristic of the street scene and reduce the openness between the two houses which also contributes to it.

5. Therefore, I conclude on this main issue that the proposed development would harm the character and appearance of the area and would be contrary to Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted in June 2003) (LP) and Policy HOU2 of the Horton and Wraybury Neighbourhood Plan (2019) (NP) which require that development should not adversely affect the character and appearance of the street scene and that side extensions should be set back from the boundary with neighbouring properties.

Flood risk

6. The appeal site is within a zone 3 high risk flood area. Policy F1 of the LP does not permit development in excess of 30 sqm in such areas unless it can be demonstrated that it would not reduce the flood plain storage capacity, or impede flood flows, or increase the number of people or properties at risk from flooding. The Council claim the proposed development, in combination with a patio and potentially unlawful summerhouse and decking, would exceed 30 sqm and a flood risk assessment should therefore have been carried out to demonstrate compliance with policy F1.
7. I appreciate that the side of the house over which the extension would sit is already paved, and the additional area covered by the brick pillars that would support the extension would be small. However, paragraph 167 of the National Planning Policy Framework (2021) (the Framework) requires a site-specific flood risk assessment to be provided for all development in Flood Zones 2 and 3. The appellant has suggested that the decking could be removed if necessary. However, in the absence of a flood risk assessment it is not possible to assess which, if any, of the structures would increase flood risk and, if so, what mitigation would be appropriate.
8. Overall, I conclude on this main issue that the proposal has failed to demonstrate that it would not, in combination with other structures on the site, increase the risk of flooding and would therefore conflict with Policy F1 of the LP, the Framework, and policy NP/SUSTDEV02 of the NP which seek to reduce flood risk.

Other matters

9. I have had regard to other matters raised including the effect of the proposal upon neighbours' living conditions regarding access to sunlight and privacy, and the proximity of the proposal to neighbours' utility pipes. However, as I am dismissing the appeal on the main issues for the reasons given above, I have not pursued these matters further.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR