

# Appeal Decision

Site visit made on 8 September 2021

**by David Fitzsimon MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22 September 2021.**

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**Appeal Ref: APP/T0355/D/21/3277854**

**14 Clewer Fields, Windsor SL4 5BW**

- 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 Alper Aslan against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
  - The application Ref 21/00468, dated 15 February 2021, was refused by notice dated 20 April 2021.
  - The development proposed is 'An increased ridge height to accommodate a rear dormer loft conversion. On the front elevation one proposed skylight'.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. In its Decision Notice, the Council refers to the National Planning Policy Framework 2019. This has been updated by the 2021 version, which I have taken into account.

## Main Issues

3. The main issues in this case are as follows:
  - The effect of the proposed development on the character and appearance of the host dwelling and the street scene within which it sits,
  - Its effect on the outlook from the attached dwelling, No. 15 Clewer Fields; and
  - Whether the proposal would adversely affect protected species and their habitats.

## Reasons

### *Character and appearance*

4. The appeal relates to an end of terrace house which sits within a run of similar dwellings. Although some variety exists in the height of the distinct groups of terraced dwellings within Clewer Fields, the ridge line of the small group which the appeal dwelling sits at the end of is consistent. This consistency is noticeable and it makes a positive contribution to the overall character and appearance of the street scene.
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5. The proposal seeks to extend the front roof profile and increase the ridge height of the dwelling in order to accommodate a substantial box dormer to the rear elevation. Although the development would be finished in appropriate external materials, this alteration would imbalance the existing roof profile and it would add significant bulk and massing to the roof. The effect would harm the traditional proportioning of what is a modest dwelling.
6. Given the gap arising from the garden area which sits between the appeal dwelling and the dwelling at No. 13 Clewer Fields, this visual harm would be readily visible when approaching from the east. In addition, the resulting ridge would be noticeably higher than the ridge of the other dwellings within the group and the visual effect would be jarring, even accounting for the presence of parapets and chimneys along the roofscape. I do not share the appellant's view that the proposal would create an appropriate 'bookend' with the taller terrace to the west as this sits further forward within the street scene.
7. For the above reasons, I find that the proposal would harm the character and appearance of the host dwelling and the street scene within which it sits. In such terms, it conflicts with saved policies DG1 and H14 of the adopted Royal Borough of Windsor & Maidenhead Local Plan (LP), policies QP1 and QP3 of the emerging Royal Borough of Windsor & Maidenhead Borough Local Plan (ELP) and the adopted Borough Wide Design Guide (DG); which collectively promote high quality design which respects and responds to local context.

#### *Living conditions*

8. The Council asserts that the proposed rear dormer would be overbearing for the occupiers of the attached dwelling, No. 15 Clewer Fields, particularly when viewed from their rear garden.
9. The appeal property has already been the subject of a two storey extension which spans almost its full width and sits very close to the boundary with No. 15. The proposal would add a box dormer to the roof, which would be recessed from this two storey addition.
10. Given that the dormer would sit within the roof and would be set back from the existing two storey extension, I consider that it would not have a materially greater overbearing or oppressive effect on the outlook for the occupiers of No. 15 Clewer Fields, including when enjoying their rear garden. In this particular regard, I find no conflict with policy H14 of the LP, policy QP3 of the ELP or the DG, which also seek to maintain appropriate standards of residential amenity.

#### *Protected species*

11. The Council asserts that in the absence of a protected species survey, the application failed to demonstrate that the proposal would not adversely affect protected species and their habitat. The appellant has since produced a Preliminary Bat Roost Assessment (PBRA) by a suitably qualified ecologist which concludes that the building has '*evidenced no suitable features of value to bats*' and that '*no internal evidence of bat (sic) was identified both internally or externally*'. The Council has not disputed the findings of the survey and I have no reason to either.

12. On the basis of the information available to me, I am satisfied that subject to the implementation of a level of protection to prevent disturbance as outlined within the PBRA, the proposal would not adversely affect protected species and their habitat. On this basis, there would be no conflict with paragraph 180 of the National Planning Policy Framework or Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

*Other matters*

13. The appellant argues that other dwellings within the local area have been enlarged in a similar manner. However, I do not know the precise planning circumstances behind these developments. In any event, I have considered the appeal proposal on its individual merits, taking into account its particular context.
14. The appellant also points to the fact that the proposal would not cause any flood risk, parking or overlooking issues. However, these are neutral factors in the overall planning balance.

**Overall Conclusions**

15. Although I am satisfied that the proposed development would not adversely affect protected species and their habitat and would not harm the living conditions of the occupiers of the attached dwelling, the raising of the ridge and introduction of the roof dormer would harm the character and appearance of the host dwelling and the street scene within which it sits. In this respect, it conflicts with the development policies and guidance outlined above.
16. The arguments advanced by the appellant do not outweigh this harm and policy conflict therefore the appeal does not succeed.

*David Fitzsimon*

INSPECTOR