The Planning Inspectorate

Appeal Decision

Site visit made on 15 December 2021

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 FEBRUARY 2022

Appeal Ref: APP/T0355/D/21/3284208
6 Station Road, Wraysbury, Staines TW19 5NE

- 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 & Mrs Gill against the decision of the Royal Borough of Windsor and Maidenhead.
- The application Ref 21/01501, dated 7 May 2021, was refused by notice dated 14 July 2021.
- The development proposed is a single storey rear & side extension and conversion of garage into habitable space.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development includes a rear first floor balcony.

Main Issues

3. The effect of the proposed development on:

    - the character and appearance of the host building and the surrounding area, and
    - the living conditions of neighbouring residents.

Reasons

Character and appearance of the host building and the surrounding area

4. Station Road comprises a mix of dwellings of varying designs and proximity to boundaries. The appeal property fronts onto Station Road and benefits from a detached garage to the front of the dwelling which is sited near to the boundary with 8 Station Road. There is no indication that garage is anything other than lawful. Various properties nearby have been altered and amended over time.

5. Neighbourhood Plan Policy HOU2.2 states that, amongst other things, new residential development will be expected to be set in a minimum distance of 1.5m from the side boundary of the property to avoid the creation of a terracing effect. I accept that would not be the case in this instance; the

extension proposed would maintain the line of the easternmost wall of the existing garage (which is only fractionally set in from the common boundary).

6. However, the development proposed is predominantly single storey with modest alterations when viewed within the Station Road street scene. The side extension would be sited behind an existing detached garage with a half hipped roof. The existing garage would largely screen the proposed side extension from view, resulting in no unacceptable terracing effect beyond that which already exists. By consequence, given the mixed layout and design of the area, and the presence of established boundary features and planting alongside Station Road, the proposal would harmonise acceptably with its context.

7. I accept the proposal would add substantially to the overall bulk of the property, particularly when considered in terms of floorspace at the side and rear. I acknowledge there are comparably sized dwellings as No 6 as it stands nearby. However, there are equally substantially larger properties, and I have noted above that there is limited consistency in terms of scale and design. The overall bulk and scale of the scheme would, moreover, be barely perceptible from public vantage points given the screening of the property from neighbouring dwellings and from mature planting and trees in gardens.

8. For the reasons set out above I conclude that the proposed development would harmonise with the character and appearance of the area. Accordingly, I find no conflict with the relevant provisions of Local Plan Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan 2003, Policy HOU2.2 of the Horton and Wraysbury Neighbourhood Plan (2018 – 2033) or the relevant provisions of the Borough Wide Design Guide 2020, all of which seek, in summary, to ensure satisfactory design which does not harm the character or appearance of the area.

Living conditions of neighbouring residents

9. As indicated above Station Road comprises a mix of dwellings of differing designs and proximity to boundaries. Some are well separated, and others sit close to the boundary. Nevertheless, and despite some architectural variation, the area has a relaxed and relatively spacious feel with properties generally sitting comfortably next to one another.

10. There is an integral double garage and, behind it a kitchen, at No 8 next to the boundary with No 6. The kitchen, although dual aspect, has a window facing towards the side elevation of No 6. At present the rear elevation of the two properties are broadly aligned, and the side elevation of No 6 well set-in from the common boundary with No 8. As such the existing presence of No 6 from the perspective of those at No 8 is relatively limited, consistent with the spacious feel of the area described above.

11. Although in terms of character and appearance the scheme would be acceptable, the proposal would result in an unduly close and enclosing relationship with No 8. The proposal would extend a significant distance into the rear garden, very close to the common boundary. Although single storey with a parapet, it would result in an enclosing presence as perceived from within the kitchen of No 8 and the patio/ garden adjacent to it. The relationship between the two properties would, as a result of the scheme, become markedly out of keeping with the prevailing interrelationship here (and no other

examples brought to my attention alter my view in that respect as each turns on the specific nature of the scheme and surrounding circumstances).

12. Despite the variety in the design of the area, consistent with a low-density pattern of development, occupants of dwellings typically have spacious plots and reasonable levels of outlook that they would have a reasonable expectation are suitably protected. I was unable to identify any other development in the immediate vicinity that comes comparably close, and is comparably imposing, as the scheme before me (with reference to its neighbours). In being of such scale, proximity and bulk, the scheme would therefore compromise outlook, adversely affecting the living conditions of No 8 accordingly.

13. While a rear balcony is proposed, if I were to find the scheme acceptable in all other regards, a condition could be imposed to enable the main parties to agree to the design of a 1.8m screen to both sides of the balcony. This would ensure that the scheme would not cause overlooking to neighbouring properties.

14. However, for the foregoing reasons I conclude that the proposed extension would have an unneighbourly and harmful effect upon the living conditions of the occupiers of No 8 with particular regard to outlook. The proposal is therefore contrary to the amenity protection aims of Policy H14 of the Royal Borough of Windsor and Maidenhead Local Plan 2003 and the Borough Wide Design Guide 2020.

Other Matters

15. The appellant refers to the planning history of the property and to the fallback position of a previously approved 8-metre rear extension. However, the 8-metre rear extension shown in the evidence before me appears to be set in some distance from the shared boundary and would not have the same impact as the appeal before me. This matter consequently carries limited weight and does not change my findings on the main issues.

16. Reference has also been made to positive pre-application advice given by an officer of the Council and the disappointment with the final decision of the Council. While I acknowledge the frustration, councils are not bound to accept the recommendations of their officers, and my assessment is based on the planning merits of the appeal before me. This does not change my findings on the main issues.

Conclusion

17. Whilst I appreciate that the proposal would add more useable floorspace to the property, nevertheless clear harm would arise in respect of the living conditions of neighbouring occupants in conflict with relevant provisions of the development plan. For the above reasons, having regard to the development plan as a whole and all other relevant considerations, the appeal is dismissed

N Praine

INSPECTOR