



Appeal Decision

Site visit made on 22 March 2022

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th April 2022.

Appeal Ref: APP/T0355/D/21/3282844

Santana, 54 Llanvair Drive, Ascot SL5 9LN

- 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 Mrs Joit Uppal against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref 21/01371, dated 2 May 2021, was refused by notice dated 4 August 2021.
 - The development is a proposed detached outbuilding.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the character and appearance of the area.

Reasons

3. Llanvair Drive is a low-density residential area situated close to a woodland. The dwellings are a mix of styles, but most are large, detached dwellings set back from the Drive. The leafy backdrop, coupled with the low density and set back of the dwellings provides a sense of space that positively contributes to the character and appearance of the area.
4. Santana is a detached contemporary dwelling fronting the Drive. An attached garage is located to the front but orientated to face the western boundary. A group of tall mature trees are situated near to the front boundary, protected by a Tree Preservation Order¹. Despite the garage and mature trees, the front has an open quality, and the dwelling is visible from localised views from the Drive. The set back of the dwelling, trees and openness to the front, adds to the sense of space and leafy character and appearance of the area.
5. The outbuilding would be positioned to the front of the site, it would be finished in timber cladding and although it would have a flat roof, it would still be an outbuilding of considerable size. The siting of the outbuilding away from the eastern boundary and close to the front, together with its size and scale, would result in a prominent and discordant feature in this context. Consequently, the introduction of an outbuilding of this size, scale and design, close to the Drive, would be uncharacteristic of the built form, impacting upon the openness and

¹ Tree Preservation Order 1995- 54 Llanvair Drive- AGB/9/70/1/52 (Orders\54LianDr. TPO)

sense of space that positively contributes to the character and appearance of the area.

6. I acknowledge that a laurel hedge has been planted, however, a hedgerow should not be introduced to hide a development, which would otherwise be unacceptable. Due to the scale of the proposal, coupled with the height, the extent of the hedgerow screening needed would be significant. The introduction of the hedgerow at this height and length would only undermine the openness and sense of space, which positively contributes to character and appearance of the area.
7. I have had regard to the previous scheme dismissed at appeal². I recognise the current scheme has been amended to reduce the overall footprint and height. Despite being marginally smaller than that scheme previously dismissed at appeal, for the reasons set out above, the scheme would be harmful to the character and appearance of the area.
8. Accordingly, the proposed development would have an unacceptable effect on the character and appearance of the area. The proposal would conflict with saved Policy DG1 of The Royal Borough of Windsor and Maidenhead Local Plan 2003 and Policies NP/DG1, NP/DG2 and NP/DG3 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan 2014. These policies generally seek to ensure all new development has regard to its context and is designed to prevent harm to the character of the surrounding area. The proposal would also conflict with the design objectives set out in section 12 of the National Planning Policy Framework.

Other Matters

9. The appellant has indicated three neighbouring properties where outbuildings have been erected to the front, namely 13, 17, 33 and 58 Llanvair Drive. I have not, however, been provided with the dates for the permissions at Nos 13, 33 and 58 or the full details that would have been available to the previous decision makers when determining these cases. As such, it is difficult to make a comparison when I am not aware of the full facts of the cases and if the same policies were applied.
10. However, from what I saw, No 13 and No 33 are smaller structures and are not comparable to the outbuilding proposed in this instance. The extended garage at No 58 is to the rear of the host dwelling, which is orientated to face Coronation Road and maintains a largely undeveloped front garden. The garage at No 17 is a large outbuilding partially hidden by a tall hedgerow. This example only served to confirm that such developments are prominent and discordant features that impact upon the sense of space, to the detriment of the character and appearance of the area.
11. I appreciate that the appellant would maintain the protected trees and that there would be a benefit to biodiversity when establishing the hedgerow. However, when balanced with the potential impact of the outbuilding, the preservation of the trees and the uplift to biodiversity does not outweigh the harm to the character and appearance of the area.

² APP/T0355/D/20/3260378

Conclusion

12. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

M. P. Howell

INSPECTOR