



Appeal Decision

Site visit made on 15 March 2022

by Oliver Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6TH July 2022

Appeal Ref: APP/T0355/W/21/3287328

The Old Workshop, Lower Boyndon Road, Maidenhead SL6 4DD

- 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 William Fitzgibbon against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref 21/02124, dated 8 July 2021, was refused by notice dated 10 November 2021.
 - The development proposed is construction of a three-bedroom new dwelling house following demolition of existing workshop.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the decision of the Council to refuse planning permission, it adopted a new Development Plan, the Borough Local Plan 2013-2033 (BLP). As decisions on appeals are made against the local plan in force at the time that the appeal is decided, I have considered the proposed development against the policies in the BLP. I have sought comments from both parties in respect of this matter and have taken these into account in reaching my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The area consists primarily of terraced, semi-detached and detached dwellings, most of which have architectural detailing including bays, porches and chimneys, with elevations using contrasting materials. Roof forms are predominantly pitched with many having front gables. These features give a degree of cohesiveness to the area that contributes to its pleasant residential and suburban character, described as being inter-war in era.
5. This part of Lower Boyndon Road is a connecting street, linking Clare Road with Laburnham Road. Much of the road consists of the return frontages of dwellings that front onto other roads that are perpendicular to it. As such, dwellings generally do not have their primary elevations facing onto the road, with garages and outbuildings being visible instead. This means that the appearance of this section of Lower Boyndon Road is somewhat different from nearby streets.

6. Nevertheless, the immediate locality has elements and features of the surrounding area. These include the dwelling at Hillside which fronts onto the road opposite the appeal site, together with the side and rear elevations of properties on Clare Road and Laburnham Road, all of which are clearly visible from Lower Boyndon Road and have the positive features I describe above. As such, the site surroundings maintain a strong visual connection with the wider locality.
7. The appeal site is a flat-roofed, single storey brick former workshop and yard. The proposed dwelling would be positioned broadly in line with the adjacent pitched roof garage building. It would have a slightly lower ridge than the garage and would use a material similar to that used locally.
8. The proposal's front elevation would be square-shaped, with rectangular side elevations, flat roofs and little detailing. I recognise that a contrasting appearance is not necessarily harmful and can result in a positive feature where the standard of design would add to the overall quality of the area. In this case, however, the dwelling's squat, flat roofed form, boxy design and blank side elevations would disrupt the cohesive elements to the area's character that I set out above. This would result in the proposed dwelling appearing incongruous and harmfully out of place in the street scene, rather than one that would provide a pleasant contrast.
9. The design would therefore conflict with Principle 7.9 of The Royal Borough of Windsor and Maidenhead Borough-Wide Design Guide Supplementary Planning Document 2020 (the SPD), which seeks the creation of attractive buildings that positively contribute to the character and quality of the area.
10. Reference is made to a Council Officer's report stating that the scheme would be a positive addition to the street. I accept that this represents a draft report rather than the formal decision of the Council. In any case for the reasons given above, I take a different view to that expressed in the draft report.
11. The site already has planning permission¹ for the erection of a dwelling. This was granted in July 2020, and I have no reason to believe it is not extant. I have therefore considered this permission as a potential fallback.
12. The proposal would have a greater mass to its front and sides compared with the lower profile of the approved scheme. This additional mass would look out of place, while also making the building's box-like design more apparent when viewed from the road, being prominent above the existing single storey garages and boundary treatments. The potential fallback does not therefore justify the harm caused by the appeal proposal, which in any case I have considered on its own merits.
13. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the area. As a result, it would fail to comply with Policies QP1 and QP3 of the BLP, which require a high quality of design that makes a positive contribution to its location. For the reasons given above, it would also conflict with the SPD, as well as the emphasis in the National Planning Policy Framework (the Framework) on visually attractive, well-designed buildings.

¹ LPA reference 20/00649/FULL

Conclusion

14. At the time of the appeal application's decision, the Council was unable to demonstrate five years supply of housing land. No evidence has been provided to me to suggest that this has changed subsequently, despite the adoption of the BLP. As such, the presumption at paragraph 11 of the Framework is engaged.
15. The proposal would make a positive contribution to the supply of housing in the area and bring social and economic benefits from its future occupants. Furthermore, as required by Framework paragraph 120, I give substantial weight to the benefit of using brownfield land within an existing settlement for housing. I also recognise the particular contribution that small sites such as this can make to supply as set out in paragraph 69.
16. I have considered the sustainability measures proposed, said to be greater than those of the approved scheme and the requirements of the Building Regulations, as well as the proposed inclusion of vegetation to the site, including a green roof.
17. However, the proposal is for only a single dwelling, meaning that such benefits would be limited, especially where there is already consent for a dwelling on the site. In light of the harm that I have identified to the character and appearance of the area, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
18. For the reasons given above, having regard to the Development Plan as a whole and all other material considerations, including the Framework, the appeal is dismissed.

Oliver Marigold

INSPECTOR