

Appeal Decision

Site visit made on 25 July 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18TH August 2022

Appeal Ref: APP/T0355/W/22/3290496

The Garth, Altwood Close, Maidenhead SL6 4PP

- 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 K McCabe against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 21/02785, dated 7 September 2021, was refused by notice dated 2 December 2021.
 - The development proposed is the construction of a single dwelling with a new vehicular access.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. On 8 February 2022, after the appeal was submitted, the Council adopted the Borough Local Plan 2013-2033 (BLP) in place of the previous Local Plan. Both of the main parties have had a chance to comment on this change.
3. This proposal is a revision of a scheme previously dismissed on appeal¹. I take that appeal decision into account, but have assessed this significantly different scheme on its own merits, in light of current policies and circumstances.

Main issue

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

Reasons

Character and appearance

5. Altwood Close is a residential street within an area identified as a 'Leafy Residential Suburb' (LRS) in the Council's *Royal Borough of Windsor and Maidenhead Townscape Assessment- Volume 1 Maidenhead and Cookham*. It displays many of the key characteristics of LRSs, including individual houses

¹ APP/T0355/W/20/3255176

set well back from the road on large garden plots and unified by a 'leafy' streetscape character, where trees and hedges are important features.

6. The previous Inspector concluded that that proposal would have been a cramped and incongruous addition to the street scene. Two key changes in comparison to that appeal scheme are that the currently proposed house would be set much further back and a proposed side boundary would be amended to (partially) widen the plot by a metre.
7. As stated by the previous Inspector there are generally strong building lines on Altwood Close, with most of the houses being set back similar distances from the street. The houses to either side of the appeal site, The Garth and Junecroft, are both set back a bit further than most. Although the siting of the proposed house would be much further back into the plot than in the previous appeal, it would still extend awkwardly forward of Junecroft and the Garth. As a result the new house, including a long side elevation, would be a dominant structure in views looking north along the street across the relatively open frontage of Junecroft. It would intrude on the green setting of the Garth, which is a valuable part of the street scene. Despite the amendments made for this appeal scheme, the spacing between the proposed house and its side boundaries, and its southern boundary in particular, would be too tight to allow for any substantial retained or new planting to filter or soften these views.
8. The Council also raises concern about the scale of the proposed house. Even with the proposed use of hipped roofs, this would still be an overly bulky, tall and deep structure for this restricted and prominent position, so that it would appear as an uncharacteristically cramped development in the street scene.
9. A number of trees within The Garth's garden are protected by a Tree Preservation Order. The Council raises no objection in this respect. Existing trees could be protected and no important trees would be lost. There would be some space at the front for new planting. The proposed access would not be objectionable in terms of its visual impact. These are, however, neutral factors which do not off-set the harm identified.
10. I have looked at the various other infill houses on Altwood Close brought to my attention, including one allowed at appeal². Many of these are much more discreetly sited than the appeal proposal. I find none that are so similar that they would alter my findings on this issue. Even with all of these recent developments in place, the predominant character of the Close remains that of a well-treed street of large houses on large plots.
11. I conclude that the proposal would unacceptably harm the character and appearance of the local area. It therefore conflicts with the aims of BLP Policy QP3, the *Borough Wide Design Guide* Supplementary Planning Document and the National Planning Policy Framework including paragraph 130, to secure a high standard of design that respects and enhances local character.

Planning balance and conclusion

12. In the previous appeal and in the officer's report for this appeal application, it was agreed that the Council could not identify the required 5 year supply of deliverable housing sites so that the 'tilted balance' stated at Framework

² APP/T0355/A/12/2188619

paragraph 11(d) applied. The adoption of the BLP affects that situation, but no evidence or argument has been submitted to indicate that the tilted balance should not continue to apply. The policies most important for determining the appeal are therefore considered to be out of date and the appeal should be allowed unless, in this case, the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The most important policy for this appeal is BLP Policy QP3, regarding character and design of new development. That policy closely conforms with the Framework's own emphasis on the creation of high quality, beautiful and sustainable buildings and places.

13. The proposal would bring economic and social benefits, and some minor environmental benefit, by making a modest contribution towards housing land supply and the efficient use of land in line with the Framework including paragraphs 60, 119 and 124. On the other hand, it would cause substantial environmental harm through poorly sited and designed development that would fail to protect or enhance the built environment, thereby failing to meet the design aspirations set out in in BLP Policy QP3 and Section 12 of the Framework. I find that the objections in regard to the main issue are sufficiently compelling to conclude that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the scheme. The Framework's presumption in favour of sustainable development therefore does not indicate approval in this case.
14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR