The Planning Inspectorate

Appeal Decision

Site visit made on 28 February 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2023

Appeal Ref: APP/T0355/D/22/3307842
Burwood House, 22 Llanvair Drive, Ascot, Windsor and Maidenhead SL5 9HT

- 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 and Mrs B Tatla against the decision of Royal Borough of Windsor and Maidenhead.
- The application Ref 22/01526, dated 1 June 2022, was refused by notice dated 19 August 2022.
- The development proposed is described as a two-storey side extension and a single-storey extension to the rear, with alterations to fenestration and internal layout, and habitable space in the roof space would be provided.

Decision

1. The appeal is allowed and planning permission is granted for a two-storey side extension and a single-storey extension to the rear, with alterations to fenestration and internal layout, and habitable space in the roof space would be provided at Burwood House, 22 Llanvair Drive, Ascot, Windsor and Maidenhead SL5 9HT in accordance with the terms of the application, Ref 22/01526, dated 1 June 2022, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 22-P0180 LP; 22-P0180 CP; 22-P0180 101; and 22-P0180 102.

    3) The external surfaces of the development hereby permitted shall be constructed in the following materials: walls to be off-white render, roof to be grey slate roofing tiles, windows to be white painted timber sash windows, and external doors to be either painted timber or powder coated aluminium.

Procedural Matters

2. The appeal submission included additional plans which proposed ground floor windows within the front elevation of the side extension in response to the Council's comments relating to this matter. An appeal should not be used to evolve a proposal and within the expediated Household Planning Appeal process there is no opportunity for interested parties to make comment on amended plans. Consequently, I have made my decision on the original plans. Nevertheless, the additional plans would not have altered my findings.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the neighbouring properties.

Reasons

4. The host dwelling is a large detached two-storey house on a reasonably sized plot within a suburban residential area of similarly scaled properties. The positioning of properties along Llanvair Drive and nearby roads, follows the undulations of both the road layout and the topography. The appeal site is, therefore, positioned on the inner side of a curve in the road angled away from 20 Llanvair Drive, but broadly in line with 24 Llanvair Drive, although at a lower level.

5. The properties in the area, including the appeal property are traditional in style and age, and well screened from the road by mature tree-lined, and hedged boundaries which generally continue up between individual properties. Thus, in general only the upper parts of the houses are visible from the road and adjacent properties. The houses themselves are all a similar vernacular originally built of brick with shallow pitched concrete tiled roofs. However, there are numerous properties which have now been extended and altered in a classical style incorporating sash windows, roof alterations including dormers, pale coloured render, and slate or slate effect roof tiles.

6. The proposal would extend the appeal property to the front, side and rear and this would be commensurate in mass and size to similar extended properties in the area. As would the materials proposed. However, the proposal would also raise the roof height to create a crown roof with dormers.

7. In isolation this would be proportionate to the appeal property and like other examples in the area including those directly opposite the appeal site. Nevertheless, the proposed alterations to the roof would increase the overall height of the appeal property. However due to the road layout and boundary hedging the proposed roof alterations would not be directly comparable to No 20, as the visual relationship between the properties is minimal, so the difference in height would not be discernible.

8. The upper portions of the side elevation of the appeal property are, however, visible in relation to the No 24. Nonetheless due to the difference in ground levels and from observations on site, I am not convinced the proposed increase in height would be so obvious as to cause harm to the character and appearance of No 24.

9. I note the Council have also raised issues with the blank front elevation of the proposed side extension, nevertheless this would not be visible from the road nor in relation to neighbouring properties. The proposed detailing of the render on this part of the extension would be commensurate in overall impact as the existing large, panelled garage door. Therefore, this element of the proposal would have a neutral effect in terms of character and appearance.

10. Consequently, the proposed alterations would be in proportion to the appeal property, and not be so different in mass, bulk, and height, with specific reference to the roof form, to be at odds to or overwhelm the adjacent properties. It would however be comparable to other properties within the

vicinity, thus reflecting the changing appearance of the area, specifically the properties directly opposite on the other side of Llanvair Drive.

11. In conclusion, therefore, the proposed development would not have a detrimental effect on the character and appearance of the host dwelling and the neighbouring properties. It would comply with policies QP1 and QP3 of the Adopted Borough Local Plan, DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan, and the National Planning Policy Framework (the Framework), insofar as they require new development to respect the character and appearance of its surroundings.

12. The Council have referred to Windsor Neighbourhood Plan policies within its reason for refusal. However, the officer report does not refer to them and confirms the appeal site is within the Sunninghill and Ascot Parish, not Windsor. Accordingly, these are not determinative to my decision.

Other Matters

13. Comments made in relation to the privacy of occupants of adjacent properties. However, I am satisfied that the existing orientation of the properties in question, the associated boundary treatments, and that the only proposed additional upper floor window in a side elevation is for a bathroom, will maintain existing levels of privacy for the occupants of the adjacent properties. The proposal would not affect the existing boundary trees, which provide screening, and as they are protected by Tree Preservation Order future works to them would require consent.

Conditions

14. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty. For the sake of character and appearance and the acceptable integration of that proposed, I have also imposed a condition requiring the use of the external materials described on the application form.

15. Within the officer report the Council recommended conditioning the use of the proposed annex. However, as the annex would not be easily severable from the main house, I am satisfied that it would not constitute a separate dwelling. Therefore, I do not consider it necessary to condition the annex's use, and I note the Council no longer considered this condition necessary within its appeal questionnaire.

Conclusion

16. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, allowed.

R J Redford

INSPECTOR