



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: 5 April 2023

Appeal Ref: APP/T0355/D/22/3306907

Sunnycroft, Larch Avenue, Ascot SL5 0AP

- 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 Kalvir Gosal against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/00224, dated 27 January 2022, was refused by notice dated 8 August 2022.
 - The development proposed is described as a side and rear two storey extension, and alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a garage conversion, two storey front/side extension with front entrance canopy, two storey side/rear extension with balcony and steps to the rear, and alterations to fenestration, at Sunnycroft, Larch Avenue, Ascot SL5 0AP in accordance with the terms of the application, Ref 22/00224, dated 27 January 2022, subject to the attached schedule of conditions.

Procedural Matters

2. The description of development is from the application form. However, the decision notice more accurately describes the proposal. I have taken this into account in my decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the dwelling and wider street scene, including the trees protected by a Tree Preservation Order (TPO).

Reasons

4. The area around the appeal site comprises individually designed large dwellings positioned within extensive plots. The abundance of trees within the plots and their boundaries create a verdant street scene, with dwellings almost entirely screened from each other and the road. Over and above each being built in a traditional and vernacular style, there does not appear to be a strong cohesion of design across the dwellings in the area.
5. The host dwelling is on one of the larger plots in the area and is angled away from the road with a large enclosed rear garden. The whole plot is surrounded by mature tree lined boundaries and there is a dense wooded area to the rear. All the trees within the appeal site are protected by TPO.

6. The host dwelling is two-storeys high and relatively long and narrow in shape, with a large single-storey extension to one side. It has an unusual, hipped roof shape with a steep upper slope and gentler lower slope, known as a bonnet hip, and a large gabled feature above the front door. This along with the rear elevation, which is dominated by a series of two-storey canted bay windows, creates an eclectically mix of features, creating a visual complexity to the elevations.
7. The proposal would include a small two-storey front extension set behind the existing gabled feature, and a large two-storey rear and side extension which would partially incorporate the existing single-storey extension.
8. The proposed front extension would be subservient in size and of a design and form which would complement the host dwelling. Although there is potential this element could be seen when approaching the appeal site from the access road, it would not significantly affect how the host dwelling relates to its surroundings.
9. The proposed rear and side extension would broadly double the size of the host dwelling. Nevertheless, it would be of a form and shape comparable to the existing property and would replicate the bonnet hip roof, ridge height and floor dimensions. It would be visible above the existing single-storey extension but the use of hanging tiles would visually set it further back within the frontage. Its position to one side of the appeal site would mean it was almost entirely screened by the existing trees.
10. The garden facing elevation of the proposed rear and side extension would be significantly more modern, with a large expanse of floor to ceiling glazing. This, however, would not be read in relation to the more cohesive and dominant front elevation nor be visible from the road. It would be visually different to the existing rear elevation of the dwelling, but its simplicity would not compete with the ornate arrangement of bay windows already in existence, nor would it look contrived by trying to replicate such a mix of features.
11. Therefore, although large, I find the proposed rear and side extension would relate reasonably well to the host dwelling. It would ensure the features which inform the existing appearance of the host dwelling within its setting would remain intact, and it would not be so visible as to detrimentally alter the impact of the appeal site on the street scene.
12. The TPO reflects the significant role the boundary trees have in the appearance of the appeal site and, by largely screening the host dwelling, the overall sylvian qualities of the street scene. The proposal would require the pruning of 3 trees, and development within the root protection area (RPA) of tree T1¹.
13. The appellant's arboricultural impact assessment and method statement (AIAMS) provides details relating to the protection of all the trees on site and the pruning requirements. These measures would appear acceptable in the maintenance and retention of the trees in question, and there is nothing before me contradicting this. However, as T1 positively contributes to the street scene, it is important that work within its RPA do not impact on its health or longevity.

¹ Tree identification numbers are set out within the appellant's arboricultural impact assessment method statement

14. Much of the existing single-storey extension as well as other parts of the host dwelling are already located within T1's RPA. The proposal would not encroach further into the RPA but would require works in the outer extremities of it, close to and beyond the existing building. The AIAMS proposes that the sections of the proposal within the RPA could be built with strip foundations and, if hand dug, could be constructed without harming the health of T1. The appellant has confirmed they would hand dig the foundations within the RPA and state piled foundations could also be used to allow flexibility in positioning, thereby missing any tree roots found.
15. Consequently, due to the retention of the existing single-storey extension, the lack of observed impact the current intrusion into T1's RPA has had, and the various construction options available for the foundations, I am satisfied that the proposal is unlikely to affect the health and longevity of T1 to such an extent it could not be retained.
16. Therefore, with conditions requiring the adherence to the AIAMS, and the requirement of foundation and service trench details, as these have not been submitted, I find the proposal would not harm the protected trees.
17. In conclusion the proposed development would not harm the character and appearance of the dwelling and wider street scene, including the trees protected by TPO. It would, therefore, comply with Policies QP3 and NR3 of the Borough Local Plan, and Policies NP/DG1, NP/DG2, and NP/DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan. These policies, amongst other things, require new development to be of high-quality design, respectful of the character and appearance of the surrounding area, and ensure the protection and retention of existing trees.

Conditions

18. The Council has suggested 3 conditions which I have considered against advice in the National Planning Policy Framework (the Framework) and Planning Practice Guidance.
19. 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. In the interests of the character and appearance of the development and the surrounding area, The Council have suggested a condition requiring the matching of materials. However, as the materials are shown on plan GOS/06, I have imposed condition 3 to ensure compliance. Also, for the reasons set out in my main issue I have imposed condition 4 and 5 relating to the protection of the trees on the site.

Conclusion

20. 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.

RJ Redford

INSPECTOR

SCHEDULE OF 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: MPMBW-01015404; GOS/04; GOS/05; GOS/06; GOS/07; and AATPPSUNN.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan GOS/06.
- 4) The development hereby permitted shall be carried out in accordance with the details set out in the Arboricultural Impact Assessment and Method Statement (reference AAAIASUNN).
- 5) Notwithstanding condition 5, no ground works shall be undertaken until details of the construction and placement of the foundations and service trenches for the development hereby permitted have first been submitted to and approved in writing by the local planning authority.

The development shall then be carried out in accordance with the approved details.

END OF SCHEDULE