



Appeal Decision

Site visit made on 21 March 2023

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th April 2023

Appeal Ref: APP/TO355/D/23/3314952
246 Windsor Road, Maidenhead SL6 2DT

- 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 I and B Hunt against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/02392, dated 29 August 2022, was refused by notice dated 2 November 2022.
 - The development proposed is described on the application form as "Proposed part double/part single rear and side extension".
-

Preliminary matter

1. In the decision below I have taken the description of development used on both the Council's decision notice and the appeal form. This is because it more accurately and clearly describes the proposal than that given on the application form.

Decision

2. The appeal is allowed and planning permission is granted for a part single/part two storey side/rear extension and alterations to fenestration following demolition of existing element, at 246 Windsor Road, Maidenhead SL6 2DT, in accordance with the terms of the application, Ref 22/02392, dated 29 August 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: WDR22.21, WDR22.22, WDR22.23 and an un-numbered location plan at a scale of 1:1250.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

Main issues

3. The main issues in this appeal are:
 - The effect on the character and appearance of the host dwelling and locality.

- The effect on the living conditions of the occupiers of the adjacent dwelling, at 244 Windsor Road, with particular regard to whether the development would be overbearing, daylight and sunlight.

Reasons

Character and appearance

4. The appeal concerns a two storey detached dwelling. Principles 10.1 and 10.3 of the Council's Supplementary Planning Document (SPD), Royal Borough of Windsor and Maidenhead, Borough Wide Design Guide, 2020, taken together and among other things, indicate that a minimum gap of a metre between the building and side boundary should normally be retained. Extensions should be subordinate and respond positively to the form, scale, style and materials of the original building. Extensions should not erode important gaps that contribute to the character of the streetscene.
5. Dwelling types on the same side of the street vary, comprising detached, semi-detached, terraced and flats. This means the frequency of gaps in the street varies, as does their actual width. In the vicinity there are examples of two storey flank walls and single storey additions either abutting or particularly close to the side boundary. There are also noticeable differences in the design and scale of properties.
6. The space to the adjacent house at no. 248 from the host dwelling is over 2 metres. However, there is a fairly tall wooden gate/fence that spans the gap at ground floor height. Above this there are views of the sky. The adjacent dwellings are both relatively deep so that views through the space are only obtained from a position in the street fairly directly in front. As a result, and given the lack of consistency in spatial relationships, I am not persuaded that the gap to no. 248 makes a positive contribution to the streetscene and it is not important.
7. The Council suggests that the gap to no. 244 on the other side is minimal and amounts to a visual terracing effect, therefore increasing the significance of that to no. 248. Although narrower than that to the other side there is, nevertheless, a clear gap and there is no terracing effect. Moreover, this space is not unduly out of keeping with the general standard in the street and provides no meaningful support for rejecting the appeal.
8. At first floor level the addition would be set back about 1.2 metres from the side boundary with no. 248. The resultant gap to the adjacent building at this height would be sufficient to prevent the appearance of a terrace. In consequence, there would be no terracing effect. The single storey part would abut the boundary. However, given the number of single storey side additions abutting or particularly close to the boundary in the locality, on the same side of the street, this would be acceptable.
9. The additions would not disrupt any significant sense of regularity or rhythm, being compatible with the pattern of development in the street. In the above circumstances the development would not appear cramped and contrived. Given the consequent absence of harm arising from this, Principle 10.3 2 in the SPD regarding the need to maintain a one metre gap should not be strictly applied in this instance.

10. The width of the first floor side addition below eaves level across the front would be relatively modest. It would also be set back a particularly generous distance from the main front wall. In these circumstances, the first floor side part of the development would not be overly dominant or excessive in scale and bulk, while comprising a subordinate addition despite the top being at the same height as the ridge of the main roof.
11. There would be a flat roof part on top of the first floor side extension. However, this would have a relatively modest area, even by comparison to that of the existing main roof. Given the upwards angle of view from the street, the only clue to the presence of the flat roof would be the horizontal line to the side of the addition. Given the proximity of the adjacent flank walls, views of this would be fairly limited. Furthermore, the mono-pitch slopes to the front and rear of the flat top would reflect the slopes of the main roof. In consequence, the roof would be reasonably sympathetic to the host building, rather than being a poorly designed and incongruous feature. The facing materials used in the additions would match those in the existing property.
12. Due to these factors, the development would respond positively to the original building. It is concluded that there would be no harm to the character and appearance of the host dwelling and locality. The development would comply with Borough Local Plan (LP) 2013-2033 Policy QP 3, which, among other things, seeks high quality design that respects and enhances the local environment with regard to rhythm, scale and bulk. It would also largely comply with the Council's SPD.
13. In the National Planning Policy Framework (The Framework) it is indicated that decisions should ensure that developments satisfy a number of considerations, which would be satisfied in this instance. These include that the proposed development should add to the overall quality of the area, as well as being visually attractive and sympathetic to local character.

Living conditions

14. At the side the adjacent dwelling at 244 Windsor Road has a first floor bedroom window and another at ground floor level serving a dining room. These directly face the two storey side wall at no. 246 at a particularly close distance and there are pitched roof single storey additions to the side of this. This relationship significantly limits the receipt of daylight and sunlight, while also giving rise to a considerable sense of enclosure to the outlook from these windows. The relatively poor levels of light and outlook would remain regardless of the outcome of this appeal and reflect the position at the side. Moreover, the property has its main outlook and sources of light at the front and rear, which would not be significantly affected by the proposal.
15. Together with a kitchen, the dining room is part of a larger space where there is a window at the end facing down the garden. The layout provided by the Appellant shows that the internal link between these areas is not unduly narrow. The fairly good levels of daylight and sunlight received through the south facing end window would, as a result, significantly benefit light levels in the dining room.
16. In these circumstances, the rearward extension at first floor level would not result in any unacceptable reduction in daylight or sunlight. There would also be no unacceptable increase in enclosure that would result in an overbearing

impact. It is therefore concluded that the living conditions of the occupiers of the adjacent dwelling would not be harmed. In consequence, the scheme would comply with LP Policy QP 3 and Principles 10.1 and 10.4 of the SPD which, as well as other things, seek to prevent such adverse effects.

17. It would also accord with the Framework, which indicates that developments should promote a high standard of amenity for existing and future users.

Conclusion

18. This is a case where there would be no harmful impact. The scheme would also comply with the development plan and the Framework. As a result and taking account of all other matters raised, the appeal is successful.

Conditions

19. A condition specifying the approved plans is needed to provide certainty. Another requiring the facing materials to match those of the existing dwelling is justified to protect the appearance of the locality.

M Evans

INSPECTOR