

Appeal Decision

Site visit made on 27 March 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/T0355/D/23/3314703

27 Bulkeley Avenue, Windsor SL4 3LY

- 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 Jinder Singh Nagpal against the decision of the Royal Borough of Windsor and Maidenhead Council.
 - The application Ref 22/02387, dated 29 August 2022, was refused by notice dated 26 October 2022.
 - The development proposed is for a two storey side and single storey front and rear extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the living conditions of the occupants of 2 Princess Avenue, with specific reference to outlook.

Reasons

Character and Appearance

3. The appeal site relates to a two storey semi-detached house to the north west of the junction of Bulkeley Avenue and Princess Avenue. The existing house is quite modest in its proportions and the proposal would comprise a number of elements, these would include: a two storey side extension with the ridge and eaves lines, as well as front and rear elevations continuing those of the host dwelling; a single storey front extension with a hipped roof; and a single storey rear extension shown to be constructed across the rear of the existing house and with an angled elevation across the rear of the proposed two storey side extension due to the presence of a diagonal rear garden boundary shared with 2 Princess Avenue.
4. The Council do not object to the principle of extending the existing dwelling per se, however it is the scale, siting and appearance of the proposal that is at issue here, along with detailed design aspects. Principle 10.1 of the Borough-wide Design Guide requires extensions to be subordinate and respond positively to the form, scale and architectural style and materials of the original

building and states that developments that are over-dominant or out of keeping will be resisted.

5. Due to a lack of a set-down in the main ridge of the two storey extension and without a set-back front elevation, on its own this element would fail to appear subservient to the host dwelling. Its appearance would appear quite alien due to the corner window arrangement proposed and combined with the single-storey front extension, including its hipped roof and the excessive and poor placing of glazing, overall I consider that the scheme would appear as incongruent form of development within the street scene.
6. Turning to the rear aspects of the scheme, whilst I consider that the site would not be overdeveloped per se, due to the remaining curtilage that would be kept free of development, nonetheless the aspect to the rear of the proposed two storey side extension would appear particularly cramped and contrived, due to its rear elevation being proposed to be built close and parallel to the rear garden boundary fence; and which ultimately appears to seek to maximise internal floor space in lieu of high quality design.
7. In totality I consider that the proposed development, by virtue of its scale, siting and appearance, would constitute poor design which would fail to relate appropriately to the host dwelling, as well as unbalancing the semi-detached pair of dwellings of which it forms part; giving rise to demonstrable harm to the character and appearance of the area. In addition to conflicting with principle 10.1 of the Design Guide (DG), I consider that the scheme conflicts with Policy QP3 of the Borough Local Plan 2013 – 2033 (adopted February 2022) (BLP) which requires new development to contribute towards achieving sustainable high quality design that respects and enhances the local character of the environment, paying particular regard to scale, bulk, massing and proportions.

Living Conditions

8. As described above, the rear garden boundary of the appeal site runs in the diagonal, meaning that 2 Princess Avenue is approximately at right-angles to the appeal dwelling. The two storey element and single storey rear extension behind it would be very close to this boundary and the immediate rear sitting out area, which would be overbearing in nature and give rise to demonstrable sense of enclosure to the occupants of the neighbouring property. This would also run counter to principle 10.2 of the Design Guide.
9. From this basis, due to the siting in such close proximity to the shared rear garden boundary, the proposal's overall height and resultant scale, would give rise to a significant loss of outlook to the occupants of no 2, also contrary to BLP Policy QP3 which requires proposals to have an acceptable effect on amenities enjoyed by the occupants of adjoining properties. This is in addition to conflicting with paragraph 130.f) of the National Planning Policy Framework which requires developments to create places with a high standard of amenity for existing and future users.

Other Matters

10. I acknowledge that a family of six would struggle to live comfortably within the house as existing and furthermore, there would be no objection to the principle of extending the dwelling to increase living accommodation, but this needs to

be sympathetic to the character and appearance of the area and to the living conditions of adjoining residents. I am not in a position to doubt the credibility of the building designer, but notwithstanding the size of the plot, it does not render a situation of a free-for-all and it appears to me a case of form following function, as opposed to providing a scheme that would harmonise with the existing very simple architecture of the host dwelling. I also note the examples that have been cited by the appellant and whilst ultimately each case must be assessed on its own merits, none of those extensions appear to have provided design cues for the proposals before me.

Conclusion

11. Therefore having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR