



Appeal Decision

Site visit made on 31 July 2023

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2023

Appeal Ref: APP/T0355/D/22/3305862

80 Westborough Road, Maidenhead SL6 4AS

- 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 Muhammad Waqas against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/01134, dated 25 April 2022, was refused by notice dated 28 June 2022.
 - The development proposed is described as a 'single storey side/rear extension, alterations to the roof to include; x1 side rooflight and x1 rear dormer, detached rear annexe and alterations to fenestration.'
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Decision

1. The appeal is dismissed insofar as it relates to the alterations to the roof.
2. The appeal is allowed insofar as it relates to the single storey side/rear extension and a detached rear annexe and alterations to fenestration at 80 Westborough Road, Maidenhead SL6 4AS in accordance with the terms of the application, Ref 22/01134, dated 25 April 2022, and the plans submitted with it, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: location plan, WEST001, WEST002, WEST003, WEST004.
 - 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 building.

Preliminary Matters

3. The description of development is taken from part E of the appeal form and the Council's Decision Notice. This is in the interest of clarity.

Main Issues

4. The main issues in this case are:
 - the effect of the proposal on the character and appearance of the property; and
 - the effect of the proposal on the living conditions of the occupants of neighbouring properties, with respect to light.

Reasons

Character and appearance

5. The appeal property is a two storey end of terrace dwelling with a rear gable projection. Much of this side of the road is characterised by similar two storey terraced properties.
6. The proposed extension would have a flat roof, and whilst it would extend to the side so would be visible from the front of the property, its limited scale would ensure that it would be a subservient addition and would not harm the character or appearance of the existing property.
7. The detached annex would be sited to at the rear of the site, and again, its modest scale would ensure that it would not detract from the character and appearance of the main dwelling. The repositioning of the door from the front elevation to the side would also have a limited visual impact.
8. Therefore, the proposed alterations to fenestration, rear/side extension and detached annexe would not harm the character and appearance of the existing property and there is no conflict with Policy QP3 of the Borough Local Plan 2013-2033 (2022) (LP) in respect of this element of the proposal. This policy requires development to be of high quality.
9. The proposed rear dormer would be sited on the projecting rear gable and face the side. Whilst it would be sited within the existing roof plane, it would awkwardly extend higher than the ridge of the gable and would sit in incongruous contrast with the existing roof form. This would not represent high quality design.
10. I therefore find that the dormer would harm the character and appearance of the existing property and would therefore conflict with LP Policy QP3. Furthermore, it would conflict with Principle 10.5 of the Supplementary Planning Document 'Borough Wide Design Guide' (2020) (SPD) which requires dormers to be of an appropriate size and position.

Living conditions

11. The proposed extension would be sited in close proximity to the side boundary with No 82 Westborough Road. This neighbour has a rear projection, and I observed on my site visit that the nearest side elevation windows of this projection facing the appeal site serve a kitchen, a room also served by rear facing windows. As such, and whilst I acknowledge the Council's concern regarding the extension crossing a 60 degree line, this room would continue to receive an adequate level of light.
12. This neighbour also has double doors facing the rear, and whilst it is unclear what room these doors serve and whether it is double aspect, given the limited height of the flat roofed single storey extension and the size of these doors, the impact of the extension on the light reaching these doors is not likely to be significant.
13. As such I am satisfied that the proposed extension would not harm the light reaching these windows and doors, and would not harm the living conditions of the occupants of No 82. Given their scale and siting, the proposed alterations to the roof and rear annexe would also have no detrimental impact upon the

amenities enjoyed by the occupants of No 82 or any other neighbouring property.

14. I therefore conclude that there is no conflict with the protection of amenities goals of LP Policy QP3 and Principle 10.1 of the SPD.

Other Matters

15. I note the proposal did not receive any letters of objection from No 82, however this does not alter my conclusions on the main issues.

Conditions

16. The Council has suggested the imposition of a condition relating to the start date of development, and in addition to requiring compliance with the application plans. I consider these to be necessary in the interest of clarity. In addition, I agree that a condition requiring materials to match the existing original property is also necessary in the interest of the character and appearance of the dwelling.

Conclusion

17. For the reasons set out above, and having considered all other matters raised, I conclude that the appeal should be allowed insofar as it relates to the rear/side extension, alterations to fenestration and annexe.
18. The proposed alterations to the roof however are physically and functionally severable and insofar as the appeal relates to this element, I conclude that for the reasons given above, the proposal would conflict with the development plan, when read as a whole. Material considerations, including the Framework, do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised I therefore conclude that this element of the appeal is dismissed.

B Phillips

INSPECTOR