



Appeal Decision

Site visits made on 31 May & 27 June 2023

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref: APP/T0355/W/23/3315239

Briar Cottage and Holmwood, Briar Glen, Cookham, Maidenhead SL6 9JP

- 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 Germain Homes Ltd against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/01452, dated 26 May 2022, was refused by notice dated 2 November 2022.
 - The development proposed is the construction of 2 No 3 bed and 1 No 2 bed dwellings with associated parking and landscaping following demolition of existing dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I originally visited the appeal site at the end of May. There had been several comments received from neighbours who also requested that I view the site from their properties. On visiting the site, it became apparent that in order to gain a full appreciation of the issues raised it was necessary to view the appeal site from neighbouring properties and I did so in late June.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located in an established residential area at the end of an unadopted road. Along Briar Glen there are predominantly bungalows and chalet bungalows. The properties along this part of the road, including Carradale immediately next to the appeal site and Nissaki, next to that comprise bungalows on relatively large plots set back some distance from the road which creates a sense of spaciousness.
5. The appeal site comprises two single storey dwellings with associated outbuildings. The two properties are located at either end of the plot and sit comfortably in their surroundings. A significant feature of the appeal site is the established garden with many trees and shrubs which together with the comfortable distance between the existing dwellings creates a green, verdant, and spacious appearance which is compatible with the existing character at this end of the road and makes a significant contribution to the character and appearance of the area.

6. The appeal site is separated and has a different character from the more suburban two storey detached, semi-detached, terraces and maisonettes that are located to the east, south and west that are at a higher level along Gorse Road and the new two storey development at Payton Gardens.
7. The appeal proposal would involve the introduction of three replacement dwellings. Plot 1 would be sited on the eastern part of the site and due to its sensitive design with modest ridge height and adequate separation from the site boundaries would sit comfortably within its surroundings and would not harm the character and appearance of the area.
8. However, the same cannot be said for plots 2 and 3. Although the distance of plot 2 from the southern site boundary would be about the same as plot 1, due to the particular site conditions of this part of the site which has a steep wide bank that slopes up towards the rear gardens of Nos 11-14 Gorse Road, the set in would be insufficient to prevent the proposal appearing cramped on the site.
9. Further, although I accept that the overall height, architectural design, and proposed materials would be suitable for this sensitive location, the proposed semi-detached houses would stretch across almost the entire width of the rear part of the site which in the location would appear as an unacceptable mass of development. Notwithstanding the existing vegetation and proposed landscaping, views would be possible from some surrounding properties. When combined with the inadequate set in from the southern boundary, the proposed development would appear unduly cramped on the site, would not sit comfortably in its surroundings, and would undermine the existing spacious character. As a result, plots 2 and 3 would appear as discordant features that would look harmfully out of place.
10. Due to the proposed use of appropriate surfacing treatment and landscaping I am satisfied that the proposed drive, turning area and hardstanding area would be sensitively incorporated into the overall proposed development and would be suitable for this setting. As a result, it would not unacceptably dominate the proposed development and consequently would not harm the character and appearance of the area and therefore would not conflict with Principles 6.7 and 6.8 of the Royal Borough of Windsor & Maidenhead Borough Wide Design Guide 25 June 2020 (BWDG) which seeks to ensure that parking layouts should be high quality and should not dominate the appearance of the plot with extensive hard surfacing.
11. Further, notwithstanding that a neighbour points out that some trees in their garden have not been accurately shown on the submitted drawings, I nevertheless consider that the proposal includes appropriate measures to retain important trees on the appeal site and to protect those and other trees on adjoining sites. This would ensure that the existing green and verdant character would be protected. However, these findings do not justify harmful development at the appeal site.
12. I therefore conclude that the proposal would have an adverse impact on the character and appearance of the area and would conflict with Policy QP3 of the Royal Borough of Windsor and Maidenhead Borough Local Plan 2013-2033 which seeks to ensure that new development respects local character. The proposal would also conflict with Principles 7.1 and 7.6 of the BWDG which amongst other things seek to ensure development does not compromise local character or the appearance of the area and resists proposals where the bulk,

scale and mass adversely impacts on local character. It would also be at odds with the Cookham Village Design Statement Supplementary Planning Document 2013, which seeks to ensure any proposal reflects and complements the existing character of the area. The proposed development would also not accord with the National Planning Policy Framework (Framework) which seeks to ensure development is sympathetic to local character.

Other Matters

13. I accept that the proposal would replace existing houses which are out of keeping with surrounding properties and are un-mortgageable due to their non-standard construction. I also accept that the proposal would increase housing supply in an appropriate location and this in turn would boost the local economy, consolidate demand for local services and deliver community infrastructure levy receipts. I acknowledge that the relevant Officers of the Council recommended approval of the proposal and found that in many respects the proposed development was acceptable. However, these matters do not justify the proposed development which would have an adverse impact on the character and appearance of the area.

Conclusion

14. For the reasons given above, the proposal would be harmful to the character and appearance of the area. Overall, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations which indicate that the decision should be made other than in accordance with it. Therefore, the appeal is dismissed.

S Rawle

INSPECTOR