



Appeal Decision

Site visit made on 1 August 2023

by Michael J Muston BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th August 2023

Appeal Ref: APP/T0355/D/23/3323115
177 Maidenhead Road, Windsor SL4 5EZ

- 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 Ms S Bhatti against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
 - The application Ref 22/03376, dated 5 July 2022, was refused by notice dated 10 March 2023.
 - The development proposed is a single storey side extension to rear, conversion of garage and remodelling of porch entrance.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:-
 - the character and appearance of the area; and
 - flooding.

Reasons

Character and appearance

3. No 177 is a two storey semi-detached house, set amongst a large number of similar properties on the southern side of Maidenhead Road. In common with most of its neighbours, the appeal property has already been extended. When seen from the rear of the property, the group of houses that includes No 177 features single storey extensions with sloping and flat roofs, large flat-roofed dormer windows, two storey extensions with gabled and hipped roofs, and a conservatory.
4. The appeal proposal includes a flat-roofed single storey extension that would run the full width of the property and extend a further three metres beyond the existing extension. This would make No 177 three metres deeper than either of its immediate neighbours. However, it would only be visible from the rear of the property, within the context of the great variety of different extensions on either side. In the circumstances, the rear extension would not appear disproportionately large, or incongruous, and its flat-roofed design would not appear materially out of keeping with other extensions in the immediate area.

5. The Council considers that the garage conversion and the porch remodelling elements of the scheme would be in keeping with the appearance and design of the host dwelling, and I agree.
6. The Council has referred to the Borough Wide Design Guide, which has been adopted as a Supplementary Planning Document (SPD). Principle 10.1 of the SPD says that extensions should be subordinate, and respond positively to the form, scale and architectural style and materials of the original building. I consider that, given its particular context, the proposal achieves this.
7. I conclude that the proposal would not have an unacceptably adverse effect on the character or appearance of the area, and would comply with Policy QP3 of the Borough Local Plan 2013-2033 (BLP), and Policy DES.01 of the Windsor Neighbourhood Plan 2019-2034. These policies seek, amongst other things, development that respects and enhances the local environment, and that takes account of design guidance, including the SPD.

Flooding

8. The appeal site is located within Flood Zone 2. The National Planning Policy Framework (the Framework) says in paragraph 168 and footnote 55 that a site specific flood risk assessment (FRA) should be provided for all development in Flood Zones 2 and 3. Policy NR1 of the BLP says that development should not, amongst other things, impede the flow of water, reduce the capacity of the floodplain to store water, increase the number of people or infrastructure at risk of flooding, or cause new or exacerbate existing flooding problems. It further says that development proposal should, amongst other things, incorporate Sustainable Drainage Systems.
9. The application was not accompanied by a FRA. In the grounds of appeal, the appellant's agent at the time the appeal was lodged has stated that one could have been provided if requested by the Council and that he has "*attached one as an indication of what could have been provided*". The example provided appears generic, and does not appear to be site-specific, as required by the Framework. In addition, it fails to deal with many of the criteria set out in Policy NR1, concluding only that "*with the implementation of such measure we hope to minimise the risk of flooding*". As a consequence, I cannot conclude that what has been provided constitutes an adequate site-specific FRA.
10. I therefore conclude that it has not been demonstrated that the proposal would not have an adverse effect on flooding in the area, contrary to Policy NR1 of the BLP.

Conclusions

11. I have concluded that the proposal would not have an unacceptably adverse effect on the character or appearance of the area. However, I have also concluded that it has not been demonstrated that the proposal would not have an adverse effect on flooding in the area. This outweighs the lack of other harm. For the reasons set out above, I conclude that the appeal should be dismissed.

Michael J Muston

INSPECTOR