The Planning Inspectorate

# 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/23/3323410**
**55 Hemwood Road, Windsor SL4 4YX**

- 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 Samir Khistria against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
- The application Ref 23/00657, dated 13 March 2023, was refused by notice dated 15 May 2023.
- The development proposed is a single storey front extension and side extension, and first floor front extension.

## Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension and side extension, and first floor front extension, at 55 Hemwood Road, Windsor SL4 4YX, in accordance with the terms of the application, Ref 23/00657, dated 13 March 2023, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

    3) The development hereby permitted shall be carried out in accordance with the following approved plans: 3651-03/MT, 04/MT, 05/MT, 08/MT Rev A.

## Main Issue

2. The Council has previously granted permission for the single storey elements included within the appeal proposal (Ref 22/03199/FULL). The appeal proposal was refused on grounds relating to the first front extension alone. The main issue is therefore the effect of the proposed first floor front extension on the character and appearance of the area.

## Reasons

3. The appeal property is located in a large residential estate dating from the late 20th century, comprising predominantly two storey detached houses. The design of these houses varies considerably. Some, like Nos 53 and 55 Hemwood Road, have their roof ridges running parallel to the road, and their

front elevations present a roof sloping down towards the road. Others, such as Nos 57 and 59, adjacent to the appeal site to the north, and Nos 22 and 24, opposite the appeal site, have their roof ridges at right angles to the road, and present gabled ends towards the road.

4. The Council in its delegated report states that the "*host dwelling and immediate neighbouring properties are staggered in nature with a uniformed appearance comprising of single storey front flat roof elements*". Whilst this is true, these flat-roofed front extensions are not found on all the properties on the wider estate, and I do not consider that they add greatly to the character of the run of properties that include No 55. This is at least in part because, notwithstanding the existence of flat-roofed front extension on these houses, Nos 53 and 55 have a completely different appearance from Nos 57 and 59.

5. The Council also says that two storey front extensions are not a feature found in the immediate locality. Again, this is true. However, the appellant in his appeal statement referred me to a number of first floor or two storey front extensions in the slightly wider area and I was able to see these on my site visit. I also noted several other extensions that appeared to be identical to that proposed, elsewhere on the estate. These all confirm that the character of the estate as a whole includes such extensions and that, from what I could see on my site visit, they do not detract from the estate's character or appearance.

6. Given the considerable variation in house type to be found close to the appeal site, and the existence of other first floor and two storey extensions in the wider estate, I do not consider that the appeal proposal would cause material harm to the character and appearance of the host property, the immediate area or the wider estate.

7. 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 the proposal complies with this guidance.

8. Principle 10.2 of the SPD says that front extensions should not break the main street building line, or be prominent in the street scene, should be set back an adequate distance from the street, and should not be of such a scale that they would appear harmful. The appeal proposal, which would be on top of an existing extension, does not break the existing building line, would not be unduly prominent in the street scene, is set back an adequate distance from the road, and would not be of such a scale as to appear harmful.

9. I conclude that the proposal would not have an unacceptable effect on the character or appearance of the area, and would comply with Policy QP3 of the Borough Local Plan 2013-2033, 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.

**Conditions**

10. As well as standard conditions relating to when the development should commence and compliance with the approved plans, a condition requiring the

external materials used to match the existing building is necessary, to protect the character and appearance of the area.

**Conclusion**

11. For the reasons set out above, I conclude that the appeal should be allowed, subject to the conditions set out above.

*Michael J Muston*

INSPECTOR