



Appeal Decision

Site visit made on 31 August 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023.

Appeal Ref: APP/T0355/D/23/3324457

14 Harcourt Road, Windsor, SL4 5NB

- 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 Hussain against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/02663, dated 29 September 2022, was refused by notice dated 29 March 2023.
 - The development proposed is part one, part two storey front/side/rear extensions and roof extension (part retrospective).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development upon the character and appearance of the house and surrounding area and upon the living conditions of occupiers of 16 Harcourt Road, with particular regard to light and outlook; and,
 - whether the proposed development would lead to an increased risk of flooding.

Preliminary Matter

3. In the interests of clarity, in the banner heading above I have referred to the description of the proposal given by the appellant on the appeal form as this gives a clear description of the type of development proposed which reflects that used by the Council in their decision notice.
4. The Council described the front porch as being partly retrospective. I noted during my site visit that a porch had been constructed and that the proposed plans show it being extended. I have therefore dealt with the appeal on that basis.

Reasons

Character and appearance

5. The appeal property is a semi-detached house in a residential street. Most houses in Harcourt Road, and the adjoining North Close, are semi-detached,

although there is a block of flats to one side of the appeal site. Pairs of houses are generally symmetrical with hipped roofs, a central shared chimney stack and 2 storey projecting bays. I note that several properties have 2 storey side extensions and are no longer symmetrical. However, their hipped roofs match those of adjoining properties and this to some degree mitigates the unbalancing effect of adjoining pairs differing in length along their frontage.

6. The appeal property has a hip to gable extension which has already eroded the symmetry between it and its adjoining neighbour, No 16. The proposed 2 storey side extension roof would be the same height as that of the existing house and have a gable end. Consequently, the extension would not be subservient to the main house and would increase the length of the roof such that it would appear overly elongated compared to its adjoining neighbour. This would further upset the balance between the two houses and appear at odds with other extended properties nearby. As a result, it would harm the appearance of the host property, its adjoining neighbour, and the wider street scene.
7. The Council is concerned that the proposed hipped roof on the first floor rear extension would overlap with the existing flat roofed dormer and appear awkward and out of keeping because of their different designs. However, rear extensions on houses nearby vary in design and there is limited visibility to the rear of the appeal property due to trees along the boundary with the neighbouring flats and the angle of the road as it curves away from the appeal site on the other side. Nonetheless, the side and rear extensions are not severable from the side extension and as such cannot be considered in isolation from it or the harm that it would cause. I therefore consider that the proposed development would conflict with Policy QP3 of the Royal Borough of Windsor & Maidenhead Borough Local Plan 2013 to 2033 (2022) (RBWMLP), Policy DES.01 of the Windsor Neighbourhood Plan 2019-2034 (2021) and Principles 10.1 and 10.5 of the Borough Wide Design Guide Supplementary Planning Document (2020) (SPD) which require high quality design that enhances local character.

Living conditions

8. The proposed single storey rear extension would extend back 6m along the boundary with No 16. It would exceed a 60 degree line to the nearest ground floor window at No 16 which indicates there would be a loss of light to that window. However, the SPD notes that the 60 degree rule is only an indicator, and that the acceptability of a development proposal will also be dependent upon the orientation of buildings. The rear of both properties faces north and as such do not receive direct sunlight for most of the day. The rear extension would lead to a slight reduction in evening light to the neighbour's window and would be visible from it above the existing wooden boundary fence. However, the effect it would have on the living conditions of occupiers of No 16, in terms of outlook and loss of light, would not be enough to warrant withholding planning permission.
9. Furthermore, the appellant has indicated that he would pursue the fall-back position established under prior approval application 21/00151 for a similar rear extension. Although that extension would be slightly set in from the side boundary, the effect on light and outlook from the window of No 16, and its impact on the living conditions of occupants of the property would be almost the same, and as such I accord the fallback position significant weight. Overall, I conclude on this issue that the proposed development would not conflict with

Policy QP3 of the RBWMLP, the SPD and Section 12 of the National Planning Policy Framework (2021) (the Framework) which seek to ensure that development would not have an unacceptable effect on the amenity of occupants of adjoining properties.

Flood risk

10. The appeal site is in Flood Zone 2. The appellant has not provided plans showing estimated flood levels and finished floor levels to demonstrate that the proposed development would not be at risk of flooding, as required by Environment Agency Guidance Preparing a flood risk assessment: standing advice (updated February 2022). Policy NR1 of the RBWMLP further requires that development should not impede the flow of surface water and, as the Council noted in its Officer's Report, the proposed development would extend to the site boundaries, rather than allowing a gap to enable water to escape the site as the appellant suggested in a flood risk statement. The proposal therefore conflicts with Policy NR1 and paragraph 167 of the Framework which require a flood risk assessment to demonstrate that the risk of flooding is acceptable.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR