



Appeal Decision

Site visit made on 28 November 2023

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2023

Appeal Ref: APP/TO355/D/23/3332239

32 Rushington Avenue, Maidenhead SL6 1BZ

- 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 and Mrs S and D White and Williamson against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 23/01734, dated 13 July 2023, was refused by notice dated 20 October 2023.
 - The development proposed is the replacement of an existing front boundary wall and associated new gates.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of an existing front boundary wall and associated new gates, at 32 Rushington Avenue, Maidenhead SL6 1BZ, in accordance with the terms of the application, Ref 23/01734, dated 13 July 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 development hereby permitted shall be carried out in accordance with the following approved plans: 23/RAM/02 and 23/RAM/03.
 - 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 dwelling.

Main issue

2. The main issue in this appeal is the effect on the streetscene and the character and appearance of the locality.

Reasons

3. The characteristically detached dwellings in Rushington Avenue, including that at no. 32, are generally enclosed from the street by brick walls. There is however some variation and I saw examples of picket fences and close boarded wooden fences, as well as retaining walls. There are also differences in the height and design of frontage walls, although many of these are fairly low. The Council points out that the site is in a leafy residential suburb as defined in the Townscape Assessment.

4. According to the Council the height of the existing stepped boundary wall at the front of the appeal site is 0.9 to 1.1m, reflecting sloping ground levels, while that of the new wall would be 0.9 to 1.35m. The proposed pillars would be from 1.4-1.8m tall by comparison to the existing features at 1.275-1.6m. In consequence, the additional height of these parts would be fairly modest. Moreover, the pillars would be relatively narrow and not result in an overly enclosed frontage.
5. While there are no gates present elsewhere in the street this is not, in itself, evidence that there would be a harmful effect. The railings in the gate with the gaps between them would avoid an overly harsh or solid appearance. The gates would be from 1.2 to 1.5m in height and sit just below the tops of the pillars to either side. Because of its relatively transparent nature, the visual impact of this feature would be acceptable. It would also attractively reflect the horizontal emphasis and rhythm of the new wall, with this being suitably balanced by the vertical rails. Despite the new frontage boundary treatment being taller than most it would fall within the range of heights found in the street.
6. In the above circumstances, the height and design, including the new gates, would be appropriate. It would not be overly dominant or visually intrusive, while respecting the existing pattern and rhythm of boundary treatments. As a consequence, the development would be compatible with the established character in the street. It is therefore concluded that the streetscene and the character and appearance of the locality would not be harmed.
7. The development would comply with Borough Local Plan 2013-2033 Policy QP 3, which, among other things, seeks high quality design that respects and enhances the local environment with regard to rhythm and height. The proposal would also accord with Principle 9.1 of the Council's Supplementary Planning Document (SPD), Royal Borough of Windsor and Maidenhead, Borough Wide Design Guide, 2020. This indicates that boundary treatments should be very high quality, reflect the positive character of the surrounding context and be visually interesting.
8. This is a case where there would be no harmful impact and the scheme would comply with the development plan and SPD. As a result and taking account of all other matters raised, the appeal is successful. A condition specifying the approved plans is needed to provide certainty. Another requiring the facing materials to match those of the existing dwelling is justified to protect the appearance of the locality.

M Evans

INSPECTOR