



Appeal Decision

Site visit made on 24 October 2023 by Ms S Maur

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2024

Appeal Ref: APP/T0355/D/23/3320094

Avalon, Upper Bray Road, Windsor and Maidenhead, Maidenhead SL6 2DB

- 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 Richard Denbow against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/03408, dated 22 December 2022, was refused by notice dated 4 April 2023.
 - The development proposed is the erection of a rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a rear extension at Avalon, Upper Bray Road, Maidenhead, Berkshire SL6 2DB. In accordance with the terms of application 22/03408, dated 22 December 2022 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P100A, P101A and P102A
 - 3) The render and roof tiles to be used in the construction of the external surfaces of development hereby permitted shall match those used on the existing building.
 - 4) The development hereby permitted shall be carried out in accordance with the general principles contained in the Flood Risk Assessment.
 - 5) The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, and shall allow that person to observe the excavations and record items of interest and finds.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Government published on 19 December 2023 a revised version of the National Planning Policy Framework (Framework). Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to

the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal property is a modest cottage with accommodation in the roof which sits within a large corner plot. It is set in a suburban residential area characterised by large, detached properties of various designs, most of which are set in generous plots.
6. The existing dwelling is small relatively to other dwellings in the area and exhibits a different appearance and rear roof form to the surrounding properties. It is therefore uncharacteristic of the urban grain, layout, height and scale of dwellings in this area. The front, side and part of the rear of the dwelling are partly visible from the public realm, however there is some vegetation providing screening.
7. The proposed extension would be large in relation to the modest existing dwelling and, as a result, would not appear subordinate or subservient to it. There would therefore be some conflict with Principles 10.1 and 10.5 of the Borough Wide Design Guide (2020). However, the proposal would retain the cottage style of the front elevation and the rear extension would be well proportioned and would not extend higher than the existing roof ridge. The use of materials and the proposed fenestration changes would respond positively to the architectural style and materials of the original building.
8. The rear extension would incorporate a sizeable flat roof, however this would only be glimpsed in some limited views of the dwelling, primarily from the neighbouring property. From the road the main view would be of the pitched roof, which would relate well to the roof form of the existing dwelling. There are other flat roofed elements locally and as such this roof form would not undermine the visual amenities of the area when viewed from public spaces.
9. Consequently, while the proposal would create a significantly larger dwelling than currently exists, there would still be adequate space around the dwelling and it would retain a sizeable garden. The careful design means that it would not appear over-dominant. Therefore, it would accord with other aspects of the Design Guide principles. Furthermore, given the surrounding large two-storey detached dwellings and the size of the appeal plot, the scale and bulk of the proposal would respect the local character. The proposal would also incorporate sustainable design and construction and improve the overall quality and appearance of the dwelling, which is currently in poor condition.
10. Overall, therefore, the proposal would respect the local character, with particular regard to the urban grain, layouts, scale, bulk, massing, proportions and materials. Consequently, it would not harm the character and appearance of the area and would accord with Policy QP3 of the Borough Local Plan 2013-2033, which expects development to contribute to sustainable high-quality design.

Conditions

11. In addition to the standard time period for commencement of the development, a condition is recommended requiring that the development accord with the approved plans, as this provides certainty and precision. It is also necessary for the render and tiles used on the extension to match those of the existing dwelling in the interests of the character and appearance of the area.
12. A condition to carry out the development in accordance with the Flood Risk Assessment is necessary in order to prevent an increased risk of flooding to people and property.
13. The Council has requested a condition for a Written Scheme of Investigation (WSI) to be produced as the site lies in an area of archaeological potential. Given the limited scale of development however, a WSI would be unduly onerous, but an archaeological watching brief as recommended by the Council's archaeologist would be reasonable and necessary.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to the conditions listed above.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's recommendation and I agree with the reasoning and conclusion set out above. Therefore, on that basis the appeal is allowed subject to the conditions listed above.

L McKay

INSPECTOR