



Appeal Decision

Site visit made on 22 February 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2024

Appeal Ref: APP/T0355/W/23/3328647

Highclere, Shoppenhangers Road, Maidenhead SL6 2QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr James Thomson (Chartridge Developments) against the decision of The Royal Borough of Windsor and Maidenhead Council.
 - The application Ref is 23/00922.
 - The development proposed is the construction of 8no. 2 bedroom apartments (use class C3) with associated parking, cycle parking, refuse/recycling store and new front wall/gate following demolition of existing building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The decision notice includes three reasons for refusal. However, I note that the appellant has submitted further evidence as part of this appeal and the Council is content that this has addressed its concerns in relation to two of the reasons for refusal.
3. On that basis, the single main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. Shoppenhangers Road is located in a predominantly residential area and is characterised by large, detached dwellings or blocks of flats which are set well back from the road and within large plots. Despite the size of many of the buildings, the spacing between them, and the abundance of mature trees and hedgerows, means that the area has retained a spacious and verdant feel.
5. These characteristics are reflected in the Council's Townscape Assessment, 2010 (TA) which identifies that the appeal site is located within the 'Leafy Residential Suburbs'. Importantly, the TA notes that sensitive contemporary design will be appropriate where it makes reference to existing building heights, massing and proportion, or stylistic references.
6. In this instance the proposed building, which would contain eight apartments, would replace an existing detached dwelling. The building would be significantly larger than the existing house on the site. Blocks of flats are relatively common in the immediate area. However, while the height and width of the proposed building would not look out of place, it would have very significant depth.

7. When considered in the context of the existing buildings immediately either side, the depth of the building means that it would look extremely imposing, prominent and incongruous in the street scene. As a result, it would therefore significantly erode the existing spacious character of the immediate area. I recognise that there are existing trees close to the road that partially shield views into the site. However, it is still highly likely that the depth of the building, and therefore its overall mass and bulk, would be visible from the public highway to some extent, particularly in the winter months, and therefore the harm would be readily apparent.
8. The appellant has noted that Aragon Court, to the north of the appeal site, is also a building of significant depth. However, the depth of the proposed building would be demonstrably greater, and in any event, the appeal site is primarily viewed in the context of the buildings immediately adjacent to it. While the proposed building would take up a similar percentage of its overall plot size to other buildings nearby, I am of the view that the large back garden does not alter the fact that the building itself would be very substantial and would appear at odds with the surrounds.
9. Flat roofs are not uncommon in the immediate area, and I do not consider that the proposed design of the building, which includes a relatively large area of flat roof, would lead to harm in that regard.
10. Nevertheless, this does not alter the fact that the proposed development would cause significant harm to the character and appearance of the surrounding area. It would therefore conflict with Policy QP3 of the Borough Local Plan 2022, which in part, seeks to ensure that new development respects local character, including by paying regard to scale, bulk, massing and proportions among other things. There would also be conflict with the Borough Wide Design Guide 2020, the relevant aspects of which have similar aims.

Other Matters

11. The appellant has provided a planning obligation which provides a carbon offset payment and lifestyle contribution. The need for such an agreement is not a matter in dispute between the parties. However, given that I am dismissing the appeal, there is no need for me to consider this matter further.

Conclusion

12. It is not in dispute that the Council cannot currently demonstrate a 5-year supply of deliverable sites for housing. The current shortfall is minor; however I have no evidence before me to suggest that this position is likely to improve in the short-term. As a result of the shortfall, policies related to the location and supply of housing are deemed to be out of date. In such circumstances, Paragraph 11d and footnote 8 of the National Planning Policy Framework (the Framework) require that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
13. In this instance, the benefits of the proposal include a net increase of seven homes that would assist in meeting need in the area, support for local facilities, and the creation of jobs during the construction phase. Given that the shortfall in housing supply is minor, and the fact that the proposed development is fairly small-scale, I afford limited weight to these benefits overall. I give very little

weight to the suggestion that the replacement building would be more sustainable in its use of energy than the existing building, as the retention and re-use of existing buildings is inherently sustainable and avoids the environmental impacts arising from demolition, the manufacture of materials and the construction process.

14. I have concluded that there would be material harm to the character and appearance of the area. The support for the principle of development within the Framework, including the use of a previously developed site, is countered by the importance it places on the provision of development that preserves character and appearance. In this instance, the harm would be significant and enduring. As a result, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Consequently, for the reasons given, the proposed development conflicts with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that outweigh the identified harm. The appeal is therefore dismissed.

C Butcher

INSPECTOR