



Appeal Decision

Site visit made on 4th March 2024

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 8th April 2024

Appeal Ref: APP/T0355/D/23/3335909

14 Eton Road, Datchet, Slough SL3 9AY

- 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 Vikas Kakar against the decision of the Royal Borough of Windsor & Maidenhead.
 - The application Ref.23/02278, dated 16 September 2023, was refused by notice dated 15 November 2023.
 - The development proposed is a new front porch, a single storey side/rear extension and alterations to the external finish, following demolition of the existing single storey element.
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Decision

1. The appeal is allowed and planning permission is granted for a new front porch, a single storey side/rear extension and alterations to the external finish following demolition of the existing single storey element, at 14 Eton Road, Datchet, Slough SL3 9AY in accordance with the terms of application Ref.23/02278, dated 16 September 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 shall be carried out in strict accordance with the following plans: drawing no.C01 dated September 2023 (Proposed Plans and Elevations), drawing no.S01 dated September 2023 (Site Location Plan), Existing Ground Floor (drawn SK, checked CP, scale 1:50), Existing 1st Floor (drawn SK checked CP, scale 1:50), Existing Sections (drawn SK checked CP, scale 1:50) & Existing Elevations (Drawn SK checked CP scale 1:50) & Existing Site Plan (drawn SK, checked CP, scale 1:50).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be carried out in accordance with the approved plans.
 - 4) No development including demolition shall commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the Local Planning Authority in writing. The WSI shall include an assessment of significance and research questions; and:
 - The programme and methodology of site investigation and recording

- The programme for post investigation assessment
- Provision for analysis of the site investigation and recording
- Provision for publication and dissemination of the analysis and records of the site investigation.
- Provision to be made for archive deposition of the analysis and records of the site investigation.
- Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

The Development shall take place in accordance with the WSI approved under this condition. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Procedural Matters

2. In the box heading above I have used the description of development on the Decision Notice and not the description given on the Planning Application Form as I consider the former is more specific.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the host dwelling and the streetscene.

Reasons

4. The appeal site is a detached two storey villa with a single storey extension at the rear in a central position. The roof is shallow with a decorative wrought iron balustrade on top of it.
5. The appeal site is located on the east side of Eton Road between nos 12 and 16 Eton Road. No.12 is to its south and no.16 to its north. Both these adjacent properties are two storey and with noticeably higher roof ridge lines.
6. The proposal before me is for, amongst other things, an L-shaped wrap around single storey side and rear extension. The site benefits from recently assessed applications including a 'larger home extension' considered under the prior approval process (app ref:22/00782/PDXL) and additions to the dwelling granted under householder applications. The two schemes have elements which were to be built in isolation which include an 8m rear extension and a single storey side extension which formed part of application ref. 22/02926/FULL. That latter permission included a part two storey addition at the rear with new Juliet balcony style windows but this element is not included in the appeal scheme before me. The scheme is wholly single storey and would

in effect seek to infill the south east segment between proposed single storey rear and side extensions to create a wrap around extension.

7. Whilst the appeal scheme would considerably increase the footprint of the existing dwelling, it would be single storey in height which would not interfere significantly with a visual appreciation of the villa from the streetscene. This is aided by the proposed side extension stepping back from the main front elevation allowing the front elevation and attractive roof balustrade to be viewed without substantial intrusion.
8. This would also serve to provide an extension which remains subordinate and not overly dominant allowing the best and perhaps original features of the villa to be appreciated. At the rear the three first floor windows would not, in visual terms, be significantly impeded. Overall, the extension would not be overly bulky or out of proportion to the main dwelling.
9. The appeal scheme includes the construction of a front porch and alterations to the external finish. I do not consider that those elements of the appeal scheme would be harmful.
10. I conclude that the proposed development would not harm the character or appearance of the host dwelling or the streetscene and would not be contrary to policy QP3 of the Borough Local Plan (adopted 2022), the Datchet Neighbourhood Plan (made 2023) or the advice in the Council's Borough Wide Design Guide (June 2020).

Other Matters

11. The proposed extension would be situated close to the boundary with no.12 Eton Road but given its height and intervening boundary treatment it would not cause a loss of outlook or light for the neighbouring occupants. It would not extend as far back in the plot as the rear of no.12. There would be no windows in either of the flank elevations and none are shown on the approved plans which are subject to condition 2.
12. There would be sufficient off-street parking available to serve the appeal site. I am satisfied that the proposed development would not be a flood risk or cause an increase in off-site flooding.

Conditions

13. I have considered the imposition of conditions in the light of advice in PPG. A condition is imposed in order to tie the development to the approved plans. This is to avoid uncertainty. In order to safeguard the character of the host dwelling and area there is a condition requiring the external materials to conform with the approved plans. The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. In order to ensure any archaeological remains are properly dealt with, I have imposed a condition requiring a scheme of investigation to be submitted, approved and then followed. This has to be a pre-commencement condition so that any potential remains are not damaged. The Appellant has consented to this condition.

14. Imposing a party wall condition requiring the developer to enter into an agreement with a neighbour would not meet the legal tests for planning conditions. Party wall matters are private law matters outside the remit of this appeal.

Conclusion

15. Having taken into account all representations made, for the reasons given above, I allow the appeal subject to conditions.

Megan Thomas K.C.

INSPECTOR