



Appeal Decision

Site visit made on 16 October 2024

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2024

Appeal A Ref: APP/T0355/D/24/3346235

24 Clewer Hill Road, Windsor SL4 4BS

- 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 George Poole against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/00622/FULL.
 - The proposed development is erection of first floor rear extensions to property following demolition of previous structurally unstable rear annexe.
-

Appeal B Ref: APP/T0355/D/24/3346236

24 Clewer Hill Road, Windsor SL4 4BS

- 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 George Poole against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/00623/FULL.
 - The proposed development is erection of first floor rear extensions to property following demolition of previous structurally unstable rear annexe.
-

Decision

1. Appeal A is allowed and planning permission granted for first floor rear extensions to property following demolition of previous structurally unstable rear annexe at 24 Clewer Hill Road, Windsor SL4 4BS, in accordance with the terms of the application Ref 24/00622/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out not later than 3 years from the date of this decision.
 - 2) The development hereby permitted relates to the following approved plans: 1:1250 location plan, Clewer/24/01a (existing floor plans), Clewer/24/04a (existing elevations), Clewer/24/20a (proposed floor plans) and Clewer/24/30a (proposed elevations).
 - 3) The materials to be used in the external finishes of the development hereby permitted shall match those used on the existing dwelling.
2. Appeal B is dismissed.

Procedural Matter

3. The Council has referred to Policy DES.01 of the made Windsor Neighbourhood Plan 2019-2034 (2021) (WNP) which relates to design, but it is not cited in the

decision notice. However, a third party has also referred to it and I consider that it is of relevance to the issues identified below.

Main Issues

4. The main issues in respect of both appeals are the impact on
 - the character and appearance of the host dwelling and wider area
 - the living conditions of the occupiers of the adjoining property, 26 Clewer Hill Road.

Reasons

5. The site comprises a modest terraced dwelling within a row of similar two storey traditional cottages. The front elevation of the row is little altered with a uniformity in terms of appearance and modest set back from the road. To the rear, the majority of the properties have been altered and extended at both ground and first floor level with some roof additions.
6. The appeal property has itself been extended at the rear with a single storey addition which extends across the whole width of the site. It replaced a rear two storey extension that mirrored a similar extension to the property to the south, No. 22, the first-floor addition of which has a sloping roof extending from the eaves of the rear roofslope. No 26, to the north, has a two-storey rear addition, extending at right angles to the host dwelling and attached to which are further two-storey dwellings comprising Albert Cottages.

Appeal A

7. The proposed extension comprises a flat roofed first floor rear addition, which would extend to the same depth as the ground floor addition and across about two-thirds of the width at first floor, similar to the size of the previously existing addition, albeit marginally wider. The main difference would be the incorporation of a flat roof which would result in its overall height exceeding that of the previous first floor addition and adjacent sloping roof addition.
8. Whilst this would be a noticeable change, it would not be significant nor would it extend above eaves height of the host dwelling, with the original main sloping roof of the cottage remaining. The flat roof design is somewhat at odds with the traditional appearance of the cottage but it would not be incongruous within the rear view of the terrace where a variety of extensions including a large flat roofed rear addition at roof level have been added.
9. Overall, in this context and given that the proposed extension would be to the rear of the terrace, where it would only be visible from the rear drive which provides access to garaging and parking for the row of cottages, it would not be a harmful addition such as to detract unacceptably from the character and appearance of the host dwelling and wider terrace. As such, it would comply with Policy QP3 of the Royal Borough of Windsor and Maidenhead Local Plan 2013-2033 (2022) (LP) which seeks to ensure that new development contributes towards achieving sustainable high quality design and respects local character. It would also satisfy WNP Policy DES.01 which seeks good design and that account is taken of local circumstances.
10. It would also satisfy the Borough Wide Design Guide SPD (2020) (SPD) which seeks to ensure that householder development functions well and looks good,

respects the host building in terms of style, form and detailing and for rear extensions seeks proposals that are sympathetic and subservient to the design of the main building.

11. In respect of living conditions, the occupier of the neighbouring property has provided a detailed report relating to impact on sunlight and daylight. However, given the relatively modest increase in height and bulk of the proposed extension compared to the previously existing situation resulting from the change of roof shape, the impact on the living conditions of the occupiers of the adjoining property would not be harmful. In this respect it would comply with LP Policy QP3 which seeks to ensure that development has no unacceptable effect on the amenities enjoyed by adjoining properties in respect of light and outlook, amongst other things.
12. In respect of conditions as well as one to refer to the approved plans in the interests of clarity, a condition to require matching materials is necessary in the interests of visual amenity.

Appeal B

13. The proposed first floor rear extensions in this case would extend across the whole width of the dwelling, comprising a main element the same as proposed in Appeal A and a second element extending to the boundary with the adjoining property at No. 26 of a lesser depth to around one metre. As with appeal A, the extension would be flat-roofed but as concluded above, such a design is not entirely incongruous. The proposed extensions would be slightly larger than those previously existing but, overall, the additions would remain subservient to the host dwelling. As such the proposal would comply with LP Policy QP3 and the SPD in this respect as well as WNP Policy DES.01.
14. In respect of the effect on the living conditions, the proposed extensions would result in the flank elevation being sited right on the boundary with No. 26. Whilst only one metre in depth, it would be sited close to a first-floor window in the adjoining property and would also impact on a ground floor rear facing window that also lies close to the common boundary. The outlook of these windows would be further enclosed and the occupier has also provided a daylight and sunlight report that concludes that the light received by them would be adversely impacted.
15. As a result, I conclude that the proposal would result in an unacceptably harmful impact on the living conditions of the occupiers of this adjoining property. It would thus be contrary to LP Policy QP3.
16. Overall, whilst the proposal would be acceptable in respect of its impact on character and appearance it would result in an unacceptable impact on the living conditions of the occupiers of the adjoining property.

Conclusion

17. For the above reasons I conclude that Appeal A should be allowed and planning permission granted and Appeal B be dismissed.

P B Jarvis

INSPECTOR