



Appeal Decision

Site visit made on 18 December 2024

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2024

Appeal Ref: APP/T0355/D/24/3353108

5 Llanvair Drive, Ascot SL5 9HS

- 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 J Kebe against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/01631.
 - The development proposed is erection of a detached double garage with a new access.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has referred to an amended plan, reference P1203 rev C. However, this was submitted to the Council on the same day that the appeal application was refused and was not considered as part of the proposal. Furthermore, no copy of the amended plan is before me. As such, I shall make my decision based on the plans considered by the Council, including P1203 rev B.
3. Since the appeal was made, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against the updated national policy context, the relevant changes to the Framework are not fundamental to matters which are determinative to the outcome of this appeal.

Main Issues

4. The main issues are the effect of the proposal on:
 - the character and appearance of the area, including on trees, and
 - the living conditions of the occupiers of 3 Llanvair Drive (No. 3) with regard to light and outlook.

Reasons

Character and Appearance

5. The site consists of a detached dwelling and its existing front driveway. Dwellings locally are generally set well back from the road, in a low-density, suburban layout. Extensive vegetation contributes to the verdant street scene. This includes trees within the front garden of the neighbouring dwelling, No. 3.

6. Detached front garages are not particularly common locally. Of those that exist, some have established hedgerow screening, or are positioned away from the front of their host dwelling, limiting their impact on the spaciousness of the area. Others appear out of place with the predominantly soft and sylvan character of the surroundings.
7. The proposal seeks to erect a detached garage within the existing front driveway. The current entrance would be stopped-up, including with a strip of landscaping, and a new vehicular access would be created. The garage has been designed with a pitched roof and high-quality materials to reflect the existing dwelling.
8. Even so, the garage would be positioned close to the front boundary of the site and would have a large footprint and scale. It would also be located in front of the main elevation of the host dwelling, adding to the density of the site and undermining the sense of spaciousness. The space between the garage and the road would be narrow, providing little room for effective landscaping. Consequently, the proposal would be a conspicuous feature in the street scene, conflicting with the green, leafy character of the area.
9. The trees at No. 3 are not protected by a Tree Preservation Order, but they contribute positively to the appearance of the street. An Arboricultural Impact Assessment has been provided, which recommends the use of a pile-and-beam foundation system, to reduce the effects of the proposal on the trees.
10. That said, little substantive evidence is before me to counter the technical concerns raised by the Council. These include the extent of the root protection areas, the scope for mitigation given the existing buildings and hard surfacing, and whether drainage and services have been fully considered. As a result, I have insufficient information to be satisfied that the proposal would be acceptable in respect of the future health of these trees. Their loss would cause further harm to the appearance of the street scene.
11. A garage building of smaller footprint has been proposed to the front of No. 3. However, I understand that planning permission for this has been refused¹. In any case, I have considered the proposal before me on its own merits.
12. For the reasons I have given, the proposal would harm the character and appearance of the area, including trees. It would therefore conflict with policies QP3 and NR3 of the Borough Local Plan (BLP), adopted February 2022, Policy NP/DG3.3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and the Borough Wide Design Guide. These require parking solutions to reflect the green nature of the area, and to respect local character and trees.

Living Conditions

13. No. 3 is a two-storey dwelling. It is positioned at an angle to the road and has several windows including south-facing bays serving habitable rooms. These would look onto the proposed garage, which I have already found would have a large scale.
14. Nevertheless, the outlook from these windows in the direction of the proposal is already somewhat filtered by existing trees and fencing. The space between the proposed garage and the existing dwelling at the appeal site would allow

¹ LPA reference 24/01554/FUL

light and outlook to continue to be available to these windows. Furthermore, other windows within the affected rooms would provide sufficient alternative means of light and outlook for their occupiers.

15. For the reasons given, the proposal would not harm the living conditions of the occupiers of 3 Llanvair Drive, with regard to light and outlook. In this respect, it would therefore accord with BLP Policy QP3, which requires proposals to have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties. However, this does not overcome my concerns regarding the first main issue.

Conclusion

16. For the reasons given, there would be conflict with the Development Plan, read as a whole. No material considerations have been shown to have sufficient weight to warrant a decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

O Marigold

INSPECTOR