



Appeal Decision

Site visit made on 18 December 2024

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

an Inspector appointed by the Secretary of State

Decision date: 14 January 2025

Appeal Ref: APP/T0355/D/24/3353837

171 Clewer Hill Road, Windsor SL4 4DZ

- 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 Mario Wisnieski against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref. is 24/00988/FULL.
 - The development sought is a new front/side boundary treatment and new sliding metal entrance gate.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development which is the subject of the appeal has already taken place. This has not altered my decision-making approach and I have determined the appeal on its own merits.

Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the streetscene including its impact on the designated Green Route.

Reasons

4. The appeal site is a semi-detached single storey dwelling on a corner plot on the junction of Clewer Hill Road and Foster Avenue. It is in a residential area which is within the Windsor Neighbourhood Plan area (adopted 2021). The site is set back from both roads. Its semi-pair is 169 which has a hedge around its road-facing boundaries. The appeal site previously had a hedge on its road-facing boundaries. There is another pair of semi-detached bungalows on the opposite corner of Fosters Avenue and Clewer Hill Road which are also lined by hedges and are situated on slightly higher ground.
5. Clewer Hill Road is a long road and dwelling typologies along it differ. However, front boundary treatments do have some characteristics which are found outside a sizeable number of dwellings and which, as a result, help to set the local context. They include green verges, green shrubs, trees in gardens or on plot boundaries, low brick walls, open forecourt parking areas and a general lack of enclosure by gates.

6. These boundary characteristics are underlined by the fact that Clewer Hill Road is identified as a "Green Route" in the Windsor Neighbourhood Plan (policy BIO.02). Where development fronts these routes the provision of green boundary treatments with trees, vegetation and soft landscaping to sustain and improve air quality and visual amenity, and the safeguarding, provision and/or enhancement of habitats to facilitate the movement of wildlife will be supported.
7. The main alterations which have been carried out to the front garden area at the appeal site include the removal of the boundary hedge, the erection of a fence between about 1.6m and 1.8m in height with a lattice top detail and a vehicular gate about 1.5m high. The fence is angled where it turns the corner. The gate is a sliding one with open slats and is made of metal.
8. The fencing and gates are high and long and are highly prominent in the streetscene. They dominate the immediate streetscene and draw the eye. They appear out of place and disharmonious with the open character, the prevalence of natural vegetation and the typically low front boundary treatment. The loss of the pre-existing hedgerow on the site has harmed the character of the streetscape and harmed biodiversity.
9. The metal material used in the sliding gate is at odds with the mainly brick, non-gated front boundary appearances in the immediate vicinity. I noted a low sliding electric gate at no.179 Clewer Hill Road, but contrary to the appellant's submissions, I do not agree that there is a strong modernisation trend on Clewer Hill Road or a notably evolving contemporary appearance.
10. In Windsor there are a number of semi-detached bungalows which are recorded as Non-Designated Heritage Assets "NDHA" as they are considered to have architectural interest or quality. The Council takes the view that the appeal site and its semi-pair retain the same characteristics and historical context as the pairs of semi-detached bungalows which are recorded as NDHAs, however, neither the appeal site nor its semi-pair is on the NDHA list. I have not treated the appeal site as a NDHA but I have borne in mind its particular characteristics and qualities.
11. The Council's Townscape Assessment (June 2010) describes Clewer Hill Road as being a key historic route into Windsor providing links to the older parts of Windsor. This adds to the need to ensure that front boundary treatments along the road are suitable and appropriate and militates against the grant of planning permission for the development which has been undertaken in this case.
12. I have considered if the imposition of planning conditions could sufficiently mitigate the impacts of the fencing and gate. I have concluded that conditions would not bring about sufficient mitigation or improvement. There is no room within the appeal site perimeter to reinstate the hedge in front of the new fence. The appellant suggests incorporating shrubbery, climbing plants or trees along the new fencing. I take the view that these would be unlikely to be feasible, but even if they were sustainable options, they would not sufficiently mitigate the loss of greenery and the loss of openness, or reinstate the pre-existing visual amenity.
13. I have borne in mind that achieving increased security for a householder and his possessions is a material consideration and a planning benefit, particularly where theft has occurred in the past, as it has here. I also acknowledge that

increased privacy and containment for dogs are desirable objectives too. However, none of those factors outweigh the harms I have identified above.

14. Overall, I conclude that the development unduly harms the character and appearance of the streetscene, in particular its Green Route status. It is contrary to policies QP3 and NR3 of the Borough Local Plan 2013-2033 (adopted 2022), policies DES.01, BIO.01 and BIO.02 of the Windsor Neighbourhood Plan (adopted 2021) and the Borough Wide Design Guide (2020).

Conclusion

15. Having considered all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas K.C.
Inspector