
Appeal Decision

Site visit made on 4 February 2025

by **Laura Cuthbert BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 February 2025

Appeal Ref: APP/T0355/D/24/3354777

4 Holly Drive, Maidenhead SL6 8SE

- 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 Naseem Subhani against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/01417.
 - The development proposed is Single storey rear extension, 1st floor front/side extension, 1no rear dormer and changes to the fenestration.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was made, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have taken the revised Framework into account as part of the determination of this appeal.
3. For clarity purposes, the Council have not raised any objection to the single storey rear extension, the 1st floor front/side extension or the changes to the fenestration. After consideration of these matters, I see no reason to come to a different conclusion. Therefore, the following assessment focuses on the proposed rear dormer.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal relates to 4 Holly Drive, an extended semi-detached property. It is situated within a small cul-de-sac of residential properties, including the semi-detached pairs of 1 and 2 Holly Drive, and 3 and 4 Holly Drive, which are of a similar scale and hipped roof design. There has been some minor changes and additions to the small group of dwellings. However, the consistency in the design and form of the roofscape of the 2 pairs of semi-detached dwellings, with no other dormer windows, remains to be one of the more prevailing regularities in the cul-de-sac. This contributes positively to the area's character and appearance.
6. The proposed rear dormer, due to its width, siting, scale and design, would dominate the extended rear roofscape of No 4. Whilst it would be lower than the ridge and would be set in from both sides by 400mm, it would occupy substantially

more than half of the width of the roof slope with a large expanse of flat roof. The mismatching fenestration within the dormer would further emphasise its inappropriate design. Consequently, it would represent a poorly designed, disproportionate and unsympathetic addition to No 4, which would be incongruous to the Holly Drive cul-de-sac.

7. Whilst it is noted the proposed dormer would be to the rear, public views of the dormer are not a prerequisite for harm to occur and does not make up for the inappropriateness of the rear dormer's scale and design. Furthermore, whilst the finishing of the rear dormer in matching hanging tiles would assist in incorporating it into the roofscape, this would not overcome the harmful impact of the dormer identified above.
8. The appellant alleges that the dormer would be permitted development. The Council has set out the relevant planning history of the site, which includes a Certificate of lawfulness in relation to a hip to gable extension, rear dormer and 3 no. front rooflights¹, which was determined to be permitted development. No details of the dormer granted by this certificate have been submitted to me. However, in regard to the appeal proposal, the Council have stated that 'the proposed rear dormer would not fall within the criteria for permitted development'². Nevertheless, within the context of an appeal under section 78 of the Act, it is not within my remit to formally determine whether the proposed development would fall under the provisions of permitted development. Therefore, I can only attach limited weight to the allegation that the proposed rear dormer would be permitted development.
9. The appellant has drawn my attention to a '10 storeys high' development at the 'Old Magnet Leisure Centre site, as well as the 'new flats being built on Boyn Valley Road', stating that 'the bulk of both of these is massive, they have flat roofs and none of the residents were consulted'. The appellant is also frustrated that 'Policy QP3 only applies to the ordinary people not the local authority' and that 'everyone else must tow the line'. No details of these other developments have been submitted. However, from the limited evidence, these other developments do not seem to be directly comparable to the proposal before me now and the circumstances of each proposal are likely to be different. I have considered this appeal on its own merits and concluded that it would cause harm for the reasons set out above.
10. Therefore, the proposal would harm the character and appearance of the area. It would be in conflict with Policy QP3 of the Royal Borough of Windsor and Maidenhead Borough Local Plan (adopted 2022), which expects new development to contribute towards achieving sustainable high quality design in the Borough, which respects and enhances the local character of the environment, with particular regard to, amongst others, scale, bulk, massing, proportions and materials.
11. The proposal would also be contrary to principle 10.5 of the Royal Borough of Windsor and Maidenhead Borough Wide Design Guide Supplementary Planning Document (adopted June 2020) which states that roof alterations should be sympathetic and subservient to the design of the main building. All types of dormers must be set back from the sides and ridgeline of the roof and not occupy more than half the width and depth of the roof slope. The proposal would also conflict with paragraph 135 of the Framework, which seeks good design to ensure

¹ Application Reference 24/00620/CPD

² Paragraph 8.5 of the Officer Delegated Report

that developments are visually attractive as a result of good architecture and layout and are sympathetic to the local area.

Conclusion

12. For the reasons given above, the proposal would be contrary to the development plan as a whole, and there are no material considerations, which indicate that I should take a decision otherwise than in accordance with the development plan. Therefore, I conclude that the appeal is dismissed.

Laura Cuthbert

INSPECTOR