



Appeal Decision

Site visit made on 5 March 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2025

Appeal Ref: APP/T0355/D/25/3359733
2 Haddon Road, Maidenhead, SL6 4RA

- 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 Mrs Nafisa Ali against the decision of Royal Borough of Windsor and Maidenhead Council.
 - The application reference is 24/02233.
 - The development proposed is part single/part double storey side and rear extensions, a loft conversion with a rear dormer and alterations to fenestration.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of this application a revised National Planning Policy Framework 2024 was published on 12 December 2024. Given the refusal reason and the nature of the changes to the Framework I am satisfied that the changes do not materially impact upon the determination of the appeal in this case, and, in any case, the appeal was submitted after the publication of the revised Framework.

Main Issues

3. The main issues are the impact of the proposal upon i) the character and appearance of the host dwelling and character and appearance of the area, ii) neighbouring residential amenity with regard to overbearingness and overshadowing and iii) highway and pedestrian safety.

Reasons

Character and Appearance

4. The appeal site is a semi-detached dwelling located on Haddon Road. At the time of my site visit I found that the appeal site is visually prominent insofar as it stands fully forward of the building line of the terraced dwellings to the north (which face onto Wootton Way). To the side of the appeal site is an open, grassed, area meaning that the host dwelling/appeal site is fully visible, including the full side elevation, in public views from Wootton Way and Haddon Road respectively.
5. The proposed single storey front/side element of the proposal would extend to the side boundary of the property and would merge with the proposed rear element (a 3-metre-deep single storey rear extension) which would, together, form a total width of in the region of 11 metres. The proposal would include a 3 metre, two storey rear extension and rear dormer which would be highly visible from the street scene

due to the property's prominent location as outlined above. The combined depth of the two-storey side to rear extension would then be combined with the addition of a dormer extension. I find the proposal would result in a scale, bulk, and massing that would appear over dominant within the street scene as well as impacting, unacceptably, on the otherwise open views towards the rear of the appeal site which forms part of the spatial character of the wider area.

6. The scale, bulk and massing of the proposal would be an unsympathetic addition to the host dwelling itself as well as appearing overly dominant in relation to the host dwelling and its general visibility within the street scene which would, in turn, impact upon both the character and appearance of the area. The proposals, cumulatively, would not present as a subordinate addition which would be inconsistent with the guidance provided within the Royal Borough of Windsor and Maidenhead Borough Wide Design Guide 2020 (the design guide) which requires proposals to be sympathetic and subservient to the design of the main building.
7. In addition, the proposed two storey extension would be positioned such that it appears to have been designed in order to achieve compliance with the 45-degree guideline in relation to the neighbouring property which has, unfortunately, resulted in a design which would appear as awkward and contrived. The full width of the proposed two storey rear extension, and the roof design in order to comply with the 45-degree angle, would be combined with a dormer which would be more than half the width of the roof slope. The cumulative impact of the proposals would therefore result in a variety of roof forms and extensions which would wholly detract from the design and proportions of the host dwelling resulting in a top heavy and overly dominant appearance inappropriately consuming the rear and side elevations.
8. Cumulatively, the proposal would be a disproportionate and discordant form of development that would appear unsympathetic and fail to be subordinate to the host dwelling. The proposal would, therefore, be inappropriate in terms of impact to both the character and appearance of the host dwelling itself as well as the wider street scene as a result of a visually prominent location with clear views from both Haddon Road and Wootton Road. The proposal would be contrary to the Royal Borough of Windsor and Maidenhead Borough Local Plan 2022 (LP) Policy QP3, which requires new development to contribute to achieving sustainable high-quality design with regard to respecting and enhancing local character in relation to scale, bulk, massing, and proportions.

Neighbouring residential amenity

9. The single storey element of the rear extension is noted to have been reduced from previous submissions to a depth in the region of 3 metres and the Council confirm that the proposal would be compliant with the 45-degree rule. The 45-degree rule is, evidently, generally utilised as a guideline to assess a proposal's impact upon daylight, sunlight, and outlook. Whilst the proposal has, in this case, been considered acceptable with the 45-degree rule, the proposal would still be in the region of 1.3 metres deep at two-storey at the shared boundary.
10. Whilst it would angle away from it after this gradually to a 3-metre depth, the proposal would only be set in by in the region of 1.7 metres which I find would still result in some harm to residential amenity as a result of overall scale. The true separation distance, in the region of 1.7 metres, would only be achieved in the region of 3 metres depth and the visual relief as a result of this design would

essentially be limited as a result of the proposals. Whilst I acknowledge the proposal's compliance with the 45-degree rule, as outlined, I do not find that in this case the proposal is acceptable as I find it would still result in a visually intrusive, overbearing and unneighbourly form of development as a result of its location in such close proximity to 4 Haddon Road. Even if I had agreed with the appellant that compliance with the 45-degree rule was acceptable, and that the proposal had been acceptable in relation to impact upon neighbouring properties with regard to overbearingness and overshadowing, the appeal would still have failed as a result of my findings against the other main issues within this appeal.

11. The proposal would be contrary to LP Policy QP1 which requires developments to positively contribute to the places in which they are located and LP Policy QP3 which requires that new development has no unacceptable impact on the amenities enjoyed by the occupants of adjoining properties. The proposal would also be contrary to the guidance set out within the design guide which seeks to ensure that neighbour amenities are protected and that amenity issues will be the primary considerations in the design of rear extensions. The proposal would also be contrary to paragraph 135 of the National Planning Policy Framework 2024 (the Framework) which confirms that developments should create places with a high standard of amenity for existing and future users.

Highway and pedestrian safety

12. The proposal would result in the number of bedrooms at the appeal site increasing to four which would create a requirement for a total of three parking spaces to meet the Council's relevant parking standards. The appeal site currently benefits from one parking space with parking in the area predominantly being off street, within driveways off Haddon Road. Off street parking provision, to the front of dwellings, I found to be varied along this section of Haddon Road with some properties benefitting from a single space, some two and some having block paved/hard standing to the entire front elevation.
13. I noted, at the time of my site visit, that on street parking was occurring along Haddon Road where there were no double yellow lines and, at the time of my site visit, I had to go around the corner and park in Great Hill Crescent in order to find a parking space. I also noted, during my site visit, that Haddon Road was well utilised by pedestrians walking outside the appeal site and also noted, for example, signage on neighbouring property which indicated potential issues with on street parking having previously blocked driveways of the relevant properties in question.
14. I am conscious that the development description does not include the provision of hard standing, or parking, as part of the proposals but nonetheless the proposed block plan is clear in demonstrating provision of three car parking spaces as part of the overall proposals. Provision of the car parking shown on the block plan would result in a removal of a lawned area and a tree. Combined with the overall proposals the provision of three parking spaces to the front elevation would visually appear cramped in the context of the appeal site itself. Clustering of three parking spaces, without intervening landscaping, would detract from the visual amenity of the site, however, my main concern would be the actual accessibility of the stated parking spaces in the context of the existing drop kerb provision.
15. I note, from my site visit, that the existing drop kerb is limited but is sufficient to allow straight access to the existing parking space. There are, however, grass

verges and bollard structures outside of the appeal site, as well as this area being utilised as on street parking at the time of my site visit. It is not clear, as a result of the existing drop kerb and street furniture, how the proposed three spaces could reasonably be accessed as a result of the immediate site constraints. Based upon the evidence before me, I do not find that three parking spaces could be safely and adequately accessed as a result of the demonstrated layout.

16. In addition, there would be insufficient space to accommodate refuse management effectively and cars, in the positions showed, would prevent bins being put out when fully in use. Whilst there are double yellow lines to the front of the property, these finish just level with the existing drop kerb where, at the time of my site visit, on street parking commenced on this side of Haddon Road with no available spaces at the time of my site visit. I acknowledge that three car parking spaces were shown on the proposed block plan, however, for the reasons set out I have concerns as to the practicality and accessibility of the spaces in question, taking into account the existing drop kerb and street furniture noted at the time of my site visit, as well as utilisation of on-street parking outside the appeal site at that point in time.
17. Based upon the evidence before me, I find that there is a lack of sufficient detail provided with regard to adequate parking which can be safely, and appropriately, accessed by occupiers of the host dwelling. As submitted, and based upon the immediate site constraints, I have strong concern as to the safe accessibility of the additional parking spaces which I find would result in unacceptable implications for both highway and pedestrian safety, with the area being well utilised by pedestrians during the time of my site visit. Even if I had agreed with the appellant as to the provision of parking, the appeal would still ultimately have failed due to the issues I have found within the context of the other main issues as set out within this decision letter.
18. The proposal would be contrary to LP Policy QP3, which seeks to minimise the visual impact of traffic and parking and deliver easy and safe access for movement of pedestrians and cars, and LP Policy IF2 which seeks to ensure appropriate parking as well as consider accessibility of the site and any potential impacts associated with overspill parking in the local area. The proposal would also be contrary to paragraph 116 of the Framework, which confirms that development should be prevented on highway grounds if there would be unacceptable impact on highway safety, and the guidance set out within the design guide which seeks to ensure developments are not functionally and visually dominated by cars and be safe and convenient for users.

Other Matters

19. I acknowledge that the appellant is of the opinion that the application was partly forgotten, and that the planning officer never phoned anyone at any time, and that there is also a query as to whether a site visit was undertaken. I understand that this, along with other comments, form a basis of concern as to how the application was handled, however, this is not within the scope of this appeal. I can confirm that I visited the site and have considered the appeal on its own merits against the Local Plan and relevant material considerations as is the requirement for determination.

20. The appellant makes reference to approved plans for 41 Holmanleaze, however, whilst an application reference has been provided, no further information has been submitted with the appeal such as, for example, a copy of the approved plans or information as to the site context to enable me to draw any comparisons, as applicable, as to the Council's approach to similar proposals. Consistency is key to maintaining public confidence within the planning system, however, based upon the evidence before me I have found the proposal to be inappropriate. I note that no one objected to the proposal, however, a lack of objection is a neutral consideration.

Conclusion

21. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR