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## Appeal Decision

Site visit made on 2 April 2025

**by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 April 2025**

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**Appeal Ref: APP/T0355/D/24/3358248**

**16 St Leonards Avenue, Windsor, SL4 1HX**

- 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 Alex Suermondt against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
  - The application Ref is 24/01965.
  - The development proposed is dormer roof extension.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of dormer roof extension at 16 St Leonards Avenue, Windsor, SL4 1HX, in accordance with the terms of the application Ref 24/01965 and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LP ASO927 and ASO927L2-01-24 Issue A dated Nov 2024.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

### Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and whether it is in accordance with policies which relate to its impact on protected species.

### Reasons

3. 16 St Leonards Avenue is a two storey mid terrace house on the south side of the street. It lies within the Inner Windsor Conservation Area.
4. The relevant policies in this case include QP3 and HE1 of the Borough Local Plan 2013-2033 (adopted 2022) (the local plan) and DES.01 and HER.02 of the Windsor Neighbourhood Plan, which relate to the character and design of new development and proposals affecting heritage assets, including conservation areas. Local plan policy NR2 concerns the safeguarding of protected species. Also relevant is Principle 10.5 of the Council's Supplementary Planning

Document the *Borough Wide Design Guide* (June 2020) (the SPD) which relates particularly to roof alterations.

5. There is a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (2024) (the NPPF) states that in the consideration of development proposals, great weight should be given to the conservation of heritage assets in accordance with the significance of the asset, and any harm should require clear and convincing justification.
6. The Council's Conservation Area Appraisal (2015) identifies this part of the conservation area as consisting of Minor Streets. The significance of St Leonards Avenue as a heritage asset lies mainly in the regularity of the street frontage, including the roofline and the generally well-preserved uniformity and detailing of the front facades with their arched doorways and single storey bay windows. The rear of the houses on the south side of the street are partially visible from the properties and car park in Lammas Court beyond a long row of garages. They have a more mixed, irregular appearance with the strongest visible features being the large outrigger projections from the rear elevations.
7. Several of the houses to the west of No. 16 have rear dormers with twin gabled elements which appear similar in some respects to the proposal, although some are larger and more boxlike in appearance with some awkward detailing. I also saw during my site visit that there are twin gabled dormers at the rear of a number of houses on the north side of St Leonards Avenue with a clearer separation between the two dormers.
8. I consider that the proposed dormers would be acceptable in this context by virtue of the separation between the two which would minimise their overall bulk. Although their total width would be greater than half of the width of the roof, they would be of reasonable proportions within the roof slope. The windows would not directly line up with those in the main part of the house, but this anomaly would barely be apparent in any views in the context of the much more prominent outriggers.
9. Policy and guidance require proposals for development in conservation areas to be considered in accordance with their significance as a heritage asset. The principal significance of St Leonards Avenue lies in the uniformity of its front facades. The rear dormers at 22, 28, 24 and 26 St Leonards Avenue were permitted in 2012, 2013, 2015 and 2020 respectively. At the time, they were considered to be in compliance with policies relating to both general design and impact on the conservation area, and the most recent was permitted after the publication of the Conservation Area Appraisal.
10. Proposals should be considered on the basis of their individual merits having regard to the local context. Although not all the existing nearby rear dormers are necessarily good examples to follow, there should be some degree of consistency in decision making over time unless there have been significant changes in policy or circumstances. On the basis of the information before me it seems to me that there have been no such changes, and this proposal would be less bulky than those nearby.

11. I conclude that the proposal would not harm the character and appearance of the area in general and that it would preserve the character and appearance of the conservation area. It does not conflict with policies QP3 and HE1 of the local plan, DES.01 and HER.01 of the Neighbourhood Plan and the NPPF.
12. The Council objected to the proposal on the grounds that no surveys had been submitted to determine its likely impact on protected species, in particular bats. The appellant has submitted a Preliminary Roost Survey carried out on 5 February 2025 which was based on a desk study and site inspections. It concluded that there was no evidence of roosting bats, the proposal would not impact commuting or foraging bats, and that no further surveys are required. It recommended the installation of one bird nesting box to provide additional nesting habitat, and that precautions should be taken when construction works are carried out during the bird nesting season.
13. I conclude that the proposal would not have an adverse impact on protected species and that it is consistent with local plan policy NR2.
14. For the reasons given above, the appeal is allowed.

### **Conditions**

15. I have considered the conditions put forward by the Council, having regard to the tests set out in the NPPF. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials is necessary in order to ensure the satisfactory appearance of the development.

*PAG Metcalfe*

INSPECTOR