



Appeal Decision

Site visit made on 12 May 2025

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/T0355/W/25/3358615

34A St Lukes Road, Old Windsor, Windsor and Maidenhead SL4 2QQ

- 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 K Brook against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/00473.
 - The development is described as the erection of a first floor extension to the existing single storey detached commercial storage building accommodating associated office/showroom floor space.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Planning Inspectorate Procedural Guide: Planning Appeals – England 2025 ('the Guide') states that there are no provisions within the rules for amendments to be submitted. It explains that the appeal process should not be used to evolve a scheme, and that it is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the Council and by interested parties at the application stage.
3. In his appeal statement, the appellant says that the proposal is for additional storage space in association with the existing business, although on the application form it is described as offices in Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) ('UCO'), and as an office/showroom.
4. Given the somewhat conflicting evidence, I have determined the appeal on the basis that it is for an extension to the existing business to accommodate associated office/showroom floor space, as set out in the description on the application form.
5. Drawing no 02 Rev A has been submitted as part of the appeal. This shows one window removed from the front face of the proposed extension, and that the other window on that elevation, and two windows on its northern face, would be obscurely glazed. It also depicts changes to the internal layout, with the separate reception area, linen display showroom, and amenity/booking/sales office, as depicted on originally submitted drawing no 02, all removed, and replaced by one large unidentified space with a separate toilet.
6. In his Planning Design and Access Statement the appellant noted that windows could be obscurely glazed if required. Notwithstanding that, drawing no 02 Rev A depicts significant changes to the proposal, including external alterations and

changes to the configuration and use of the rooms, compared to the scheme which was considered by the Council and by interested parties at application stage. Having regard to the Guide, the proposed changes would be substantive, and for me to accept them at this stage would introduce procedural unfairness.

7. I have therefore considered the appeal on the basis of submitted drawing no 02, and the description on the application form, which I have used in my banner.
8. Finally, I note that a two storey side extension was allowed at appeal on this site (Ref: APP/T0355/W/21/3287620). However, I have few details of that scheme and, in any event, the time limit for its commencement has now expired.

Main Issues

9. The main issues are the effect of the proposal on:
 - the character and appearance of the area;
 - the living conditions at 34A St Lukes Road ('No 34A') and at 32 St Lukes Road ('No 32'), with particular regard to overbearance, privacy and disturbance; and
 - the safety and convenience of highway users.

Reasons

Character and appearance

10. The host comprises a single storey, flat-roofed building, which is used as part of a linen/laundry business. It is situated to the rear of a short parade of two storey buildings in Old Windsor Local Centre, and which generally have commercial uses at ground floor and flats above. To the rear, many of these properties have single storey projections or single storey outbuildings.
11. The proposed extension would be slightly shallower than the host, but would reflect its form, style and materials. However, whilst the existing building has a limited single storey height, which broadly reflects the height of the other buildings to the rear of this parade, the proposal would give it a much greater height and mass. As a result of its two storey, flat-roofed form, it would have a markedly rectilinear and bulky appearance, which would be largely unalleviated by design features.
12. Although the adjacent Co-op has an enclosure above part of its single storey flat-roofed rear projection, that structure is not typical of the area and, given its low height, and timber slatted construction, it has a more lightweight, less bulky appearance compared to this scheme.
13. The proposal would be partially screened from St Lukes Road by frontage buildings, but it would be prominent from nearby properties and their gardens, and in views from the rear access to the north of the site, where the resultant building would appear as a stark, bulky and incongruous feature.
14. As the proposal would significantly harm the character and appearance of the area, it would conflict with Royal Borough of Windsor and Maidenhead Borough Local Plan 2022 ('BLP') Policy QP 3, along with Policy OW8 of the Old Windsor Neighbourhood Plan 2019. Amongst other things, and in general terms, these require high quality design which respects local character, paying particular regard to matters such as height, scale, bulk, form, massing and proportions.

15. It would also conflict with the advice at Principles 7.6, 7.7 and 7.9 of the Council's Borough Wide Design Guide Supplementary Planning Document 2020 that development should be attractive and integrate well with existing buildings and local character; and with part 12 of the National Planning Policy Framework 2024 ('Framework') which sets out the need for good, visually attractive, design, which is sympathetic to local character.

Living conditions

16. BLP Policies EP 1, EP 4 and QP 3 require proposals not to have an unacceptable impact on environmental quality, including residential amenity, by virtue of matters including noise, privacy and nuisance.
17. Drawing no 04 depicts that the first floor flat at No 34A has a small garden at the bottom of its external staircase, although I observed that there is a structure covering part of that space. Nevertheless, that depicted space would become more enclosed as a result of this proposal's close proximity, height and bulk, and it would become more overlooked given its two front-facing windows or, if they were to be obscurely glazed, there would be a greater perception of overlooking. In the context of the immediate area, where the flats often have little or no amenity space, that would result in limited harm to those occupiers' living conditions.
18. There would also be three windows in the extension's northern elevation. Whilst these would abut the site boundary, they would be positioned broadly opposite the end of the access lane, with the rearmost part of No 32's garden separated from the proposal by a footpath. The first floor windows in the scheme's eastern elevation would broadly face down the appeal site. Consequently, the scheme would not result in a significant perception of overlooking of No 32's garden.
19. Based on drawing no 02, the scheme would include a showroom and offices, which the appellant describes as ancillary to the existing Class B8 use. Class B8 of the UCO encompasses a range of storage and distribution activities, which could have significant impacts on residential amenity. Thus, an assessment of potential impacts of the Class B8 use on living conditions, along with mitigation measures, is required.
20. In the absence of a detailed assessment, and given the limited and somewhat inconsistent information before me, I cannot be certain that the proposal would not have a harmfully adverse impact on nearby occupiers' living conditions as a result of additional noise and disturbance, and associated comings and goings.
21. Summing up on this issue, the scheme would result in limited harm to the living conditions at No 34A as a result of an increased sense of enclosure and overlooking and, based on the submitted evidence, I cannot be certain that it would not have a harmful impact on nearby residents' living conditions as a result of noise and disturbance.
22. The scheme would therefore conflict with BLP Policies QP 3, EP 1 and EP 4; and with the Framework's stance at paragraph 135f) regarding the need to create places with a high standard of amenity for existing and future users.

The safety and convenience of highway users.

23. The Council's third reason for refusal sets out that it has not been demonstrated that the proposal would not lead to overspill parking to the detriment of highway

safety. For his part, the appellant says that there have been no issues with on-site parking over the last ten years, and that the proposal will not change current operations or parking arrangements.

24. Although off-street parking is not clearly depicted on the submitted drawings, I observed that there is a narrow space to the front/side of No 34, which I understand is where vehicles park once or twice per day when there are deliveries or collections associated with the existing linen/laundry business.
25. However, the proposal would result in around 70sqm of additional floorspace, and although the appellant states that the current parking arrangements are sufficient for his business, I cannot be certain that they would meet the needs of other Class B8 uses which could occupy the building in the future.
26. There are a limited number of on-road parking spaces to the front of the parades in this local centre and, although it represents just a snapshot in time, most were occupied at the time of my visit. To the north the parking spaces on St Lukes Road are designated for resident permit holders only.
27. The Council states that its Parking Strategy 2004 sets out, as a guide, a requirement for one parking space per 90sqm of Class B8 use, and one further space for a lorry. In this case, as there would be additional floorspace but no more off-street parking, I am not satisfied that the proposal would adequately meet the parking requirements for a Class B8 use, and it would therefore conflict with that strategy.
28. Given the limited off-street parking on the site, and limited on-road parking in the area, servicing the additional floorspace could result in congestion and awkward manoeuvring on St Lukes Road. Having regard to the small scale of the proposal, this would result in modest harm to the safety and convenience of highway users.
29. In its officer delegated report, the Council states that BLP Policy IF 1 requires the provision of cycle and vehicle parking in accordance with its adopted standards. However, there is no such provision within that policy, which is directed at infrastructure requirements and developer contributions.
30. Nevertheless, the scheme would conflict with BLP Policy QP 3's requirement to deliver easy and safe access, including for cars and service vehicles; along with the Framework's stance at paragraphs 115 and 117 that development should ensure that safe and suitable access can be achieved, and shall allow for the efficient delivery of goods.

Other matters

31. I understand that the existing floorspace is inadequate for the linen/laundry business, which results in stock getting damaged. The proposal would address that issue, thereby finding a limited measure of support from Framework and development plan policies which aim to make an effective use of land and support business needs.

Planning Balance and Conclusion

32. I have found that the scheme would significantly harm the character and appearance of the area; that it would cause limited harm to the living conditions at No 34A; and that I cannot be certain, from the available evidence, that the

additional Class B8 floorspace would not cause harm as a result of noise and disturbance. There would also be modest harm to the safety and convenience of highway users.

33. The benefits to this business would not outweigh the totality of the harm that the scheme would cause. For these reasons, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR