



Appeal Decision

Site visit made on 25 June 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/T0355/D/25/3367054

38A Old Ferry Drive, Wraysbury, Staines TW19 5JT

- 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 Martin Booth against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
 - The application Ref is 25/00438.
 - The development proposed is refurbishment of ground floor and additional upper floor to replace pitched roof, demolish existing garage and replace with garage/annex.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposal on the character and appearance of the existing dwelling and on the local area, and
 - The effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to effect on outlook, and on daylight and sunlight.

Reasons

Character and appearance

3. The appeal property is a raised, detached single storey, brick built property on the north-west side of Old Ferry Drive on a long but relatively narrow plot which extends to front the River Thames. The property is set deep into the plot close to the river. There is a modest detached garage much closer to the road frontage, and this arrangement of detached garages and outbuildings closer to the road is part of the pattern of development in the immediate local area. The surrounding area is predominantly residential with a wide mix of detached properties, ranging from single storey dwellings to much larger properties, with a variety of design styles and materials. The property is visible from the Thames Path which runs along the opposite bank of the river.
4. The proposal would add a first floor along the whole building under a flat roof, following the removal of the existing pitched roof with two additional bays on the south-western side. The design would be contemporary with a mix of render and zinc cladding with new windows mainly focused to the front and to the rear with

some along the side elevations. The existing garage would also be replaced with a new detached garage with annexe above that would extend deeper than the structure below, with slate cladding and zinc as the proposed materials.

5. The proposal would be a substantial remodelling of the existing property, through the addition of a new floor, and extensive changes to the materials and overall scale and massing of the property. It would not be a subordinate addition to the existing property. As a result, it would not comply with all the principles and guidance set out in the Borough Design Guide particularly in relation to householder development and extensions. However, paragraph 1.14 of the Guide recognises that innovative, high quality design solutions may come forward that do not fully comply with the requirements of the Guide. Furthermore, the Guide and relevant planning policies from both the Borough Local Plan (Local Plan), including Policies QP1, QP3 and QP4 as well as Policies NP/HOU1 and NP/HOU2 from the Horton and Wraysbury Neighbourhood Plan (NP) as well as the National Planning Policy Framework (Framework) and in particular Section 12 all seek for high quality design which respects the local context.
6. Alongside the smaller scale and more traditional single storey properties in the immediate local area, there is a wide variety of either replacement or remodelled properties, many of which have become two storeys or higher with a wide variety of design styles and materials. The character and appearance of the local area is therefore now extremely varied with the individual nature and form of properties contributing to that variety. The proposal would retain the long narrow form of the existing property relating to the scale and proportions of the plot. The design would be contemporary with modern materials but would result in a high quality and cohesive design with particular attention to the elevations facing the river and towards the access road. Given the variety in the character and appearance of the local area, through the individual nature, design and materials of many of the properties, I am satisfied that the proposals for both the house and the detached garage and annexe would respect the character and appearance of the local area, including the River Thames frontage and its setting.
7. I therefore conclude that the proposed development would respect the character and appearance of the local area. There would be no conflict with Policies QP1, QP3 and QP4 of the Local Plan, Policies NP/HOU1 and NP/HOU2 of the NP, and the Framework and in particular Section 12, all of which, amongst other matters, seek a high quality of design which respects the local context.
8. I have acknowledged that the proposals would not accord with all parts of the design guidance in the Borough's Design Guide, and in particular the principles that householder developments for extensions should be subservient and in keeping with the existing dwelling. However, for the reasons set out above and taking into account all the guidance in the Design Guide, I am satisfied that, in the particular circumstances of this case, this would not, by itself, justify withholding planning permission.

Living Conditions

9. The neighbouring property to the north-east at No 38 is a detached single storey property and to the south-west there is a chalet bungalow at No 40. Reflecting the shape of their sites, these are, like the appeal property long and relatively narrow properties.

10. No 38, in particular, has a considerable number of side facing windows, facing towards the appeal property and the Council advises that some of these serve habitable rooms. There is a limited spacing between No 38 and the appeal property. The proposed extension would, on the basis of the measurements on the submitted plans, increase the height of the building to 6.6m. Given the design approach with vertical walls and a flat roof, this would lead to a materially taller elevation facing towards the whole of the side of No 38. This would result in a much bulkier and overwhelming mass of built development facing onto the side of No 38. I consider that this would be overbearing and result in a material loss of outlook for the neighbours, from their side facing windows.
11. There is no technical information before me regarding the effect on daylight and sunlight but taking account of the increased height and massing of the proposal as well as the orientation with No 38, I share the Council's concerns that there would be an unacceptable impact on daylight and sunlight to some of the rooms in No 38 facing towards the appeal property. I therefore conclude that the proposed development would materially harm the living conditions of the neighbours at No 38.
12. In terms of the effect of the proposals on No 40, there is a larger open gap between that property and the appeal property and that gap widens towards the river. The Council advises that the side facing windows in that property facing towards the appeal site serve a bathroom and a kitchen and there are some rooflights which are set in the roof plane and are therefore angled upwards and not directly towards the appeal property. On the basis on the information before me, and in particular the Council's assessment, I do not consider that there would be an unacceptable impact on the living conditions of No 40, with particular regard to loss of outlook and daylight and sunlight. However, this does not outweigh the harm I have already concluded to the living conditions of the neighbours at No 38.
13. I therefore conclude that the proposal would have an unacceptable impact on the living conditions of the neighbours at No 38, with particular regard to loss of outlook and daylight and sunlight. This would conflict with Policy QP3 of the Local Plan, the Borough Wide Design Guide and the Framework, including paragraph 135, all of which amongst other matters seek a high quality of design which respects the amenities of existing and future occupiers.
14. The Appellant has noted that there have been no objections from the immediate neighbours, but any permission granted would also endure for future residents, and the absence of objections does not automatically indicate a satisfactory proposal.

Other Considerations

15. The Appellant has contended that an additional storey could be added under permitted development rights but has also stated that such a solution would be unattractive and visually unappealing. There is no information before me to confirm that such a proposal could be built under permitted development rights and the related prior approval procedures. Furthermore, given the Appellant's comments regarding the form and nature of such a proposal, it would be uncertain that this route would be followed. Whilst I have taken it into account, it does not therefore persuade me to a different view.

Planning Balance and Conclusion

16. I have found that the proposed development would respect the character and appearance of the local area. However, this would not outweigh the harm I have concluded to the living conditions of the neighbours at No 38. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR