



Appeal Decision

Site visit made on 29 October 2025

By Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2025

Appeal Ref: APP/T0355/D/25/3373209

Little Friars, 15 Orchard Road, Old Windsor SL4 2RZ

- 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 Khalid Choudhary against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 25/01282.
 - The development proposed is described on the planning application form as "Front canopy, part single, part two storey side/rear extension, single storey rear extension and alterations to fenestration, following demolition of existing garage".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect on the living conditions of the occupiers of the adjacent dwelling at 17 Orchard Road, with particular regard to overshadowing, daylight and whether the development would appear overbearing.

Reasons

3. The appeal concerns a dwelling that is single storey below eaves level and has accommodation in the roof. The extended dwelling would have a side elevation facing towards the boundary with the property at 17 Orchard Road. The neighbouring bungalow has a central door and windows to either side in its front elevation which faces the appeal site. It is relatively close to the boundary and is not separated by much more than the width of an access drive.
4. The Appellant has provided a drawing indicating that the flank wall of the enlarged property would not be bisected by a line taken at 25 degrees from a height of two metres at the adjacent bungalow. Such a consideration is found in the Council's Supplementary Planning Document (SPD) Borough Wide Design Guide, 2020. However, this is intended to ensure adequate light levels and does not seek to address matters concerning outlook which is a different issue. Given this and the position of the extension broadly to the north of no 17, there would be no significant loss of daylight or overshadowing.
5. Nevertheless, the proposal would extend the host dwelling towards the side boundary, creating a new flank wall set in a single plane. The undue mass of the addition would be reflected by it being, according to the Council, 18.3m in depth. Apart from a fairly small rearmost part, the vast majority of this would be at a height

of about 4.75m to the eaves with a roof above sloping down towards the boundary. It would, as a result, be significantly higher than the boundary fence. Above two ground floor windows it would mainly comprise an unrelieved and fairly substantial expanse of rendered wall, resulting in an overly harsh appearance. In these circumstances, the overly bulky and dominant addition would be in unduly close proximity to the adjacent dwelling at a distance of just over 7.5m. Due to the above factors, there would be an unpleasant and oppressive sense of enclosure experienced by the neighbouring occupiers so that the development would appear overbearing.

6. There is vegetation at the appeal site rising above the boundary fence. However, even if it could be retained after construction of the development this could die or be removed by future occupiers and should not therefore be relied on to secure acceptability. The adverse impact would occur despite the host dwelling being set in a fairly substantial plot. The surrounding area comprises dwellings of varied height, style, scale and design. However, my attention has not been drawn to any relationships between dwellings that are comparable to that which would result in this case.
7. The Appellant refers to a previous planning permission but merely suggests that the current proposal is a reduced scheme by reference to this. However, the Council has indicated that the scheme before me would have a greater impact in terms of its bulk and mass and the Appellant has not provided any detailed evidence that might contradict this. It has not therefore been demonstrated that the approved scheme would have a comparable impact, let alone a significantly more adverse effect than the current proposal that might justify allowing the appeal in order to seek to prevent a noticeably more harmful development from being built. This matter is not therefore afforded any meaningful weight in favour of the appeal.
8. For these reasons, it is concluded that the living conditions of the occupiers of the adjacent dwelling would be harmed. The Council's reason for refusal refers to Borough Local Plan 2013-2033 Policy QP 3 but this only concerns specific matters that do not include overbearing effects. However, there would be conflict with Old Windsor Neighbourhood Plan, Policy OW8, which among other things, seeks to protect the amenity of neighbours.
9. The scheme would be contrary to SPD Principle 10.1, which indicates that extensions should not result in a material loss of amenity as a result of being overbearing. There would also be conflict with the National Planning Policy Framework, which indicates that decisions should ensure that developments create a high standard of amenity for existing users, which would not be satisfied in this instance.
10. Taking account of all other matters raised, because of the harm that would arise the appeal is dismissed.

M Evans

INSPECTOR