



Appeal Decision

Site visit made on 5 November 2025

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Appeal Ref: APP/T0355/D/25/3374620

17 Parkside Road, Ascot, SL5 0NL

- 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 Sunningdale Hans Lehmann against the decision of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 25/02011.
 - The development proposed is for 1.No. outbuilding ancillary to the main dwelling with steps, for ancillary domestic purposes including home office, exercise, and leisure use, following demolition of existing outbuilding (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for 1.No. outbuilding ancillary to the main dwelling with steps, for ancillary domestic purposes including home office, exercise, and leisure use, following demolition of existing outbuilding at 17 Parkside Road, Ascot, SL5 0NL in accordance with the terms of the application, Ref 25/02011, and the plans submitted with it, subject to the conditions set out in the conditions schedule attached to this decision.

Preliminary matters

2. The description for the development as set out on the application form and decision notice refer to the proposal is being retrospective. As planning permission cannot be granted retrospectively, I have deleted this wording from the description in this decision.
3. Whilst the appellant has stated that the outbuilding has been used for sleeping accommodation by visiting family, the application form and appeal statement clearly state that the proposal includes its use for a home office, exercise, and leisure use. The appeal has been determined on this basis.

Main Issues

4. The first main issue is the effect of the proposal on the character and appearance of the appeal site and the rear garden environment. The second main issue is the effect of the proposal on the living conditions of the occupiers of neighbouring dwellings with particular regard to visual impact and privacy.

Reasons

Character and appearance

5. The appeal property is located within a row of uniformly designed two storey semi-detached houses with similar depth rear gardens. To the rear many of the dwellings have been altered and extended and there is a diverse range of outbuildings which are primarily sited at the end of the gardens. This includes the properties to the rear of the appeal site and at Nos.9, 11, 19, 23 and 25 Parkside Road.
6. The proposed outbuilding, which has already been constructed, is located at the end of the rear garden. The rear garden is terraced and the proposed outbuilding occupies an elevated position which is accessed via two sets of steps. From the submitted photographs it is evident that the rear garden was terraced before the proposed outbuilding was built and that it sits in a similar location and at a similar ground level to a previous outbuilding. However, the depth of the upper terrace has been increased.
7. Amongst other things policy QP3 of the Royal Borough of Windsor & Maidenhead Borough Local Plan (LP), seeks to achieve high quality sustainable design. Proposals should respect and enhance the local, natural and historic character. As stated in paragraphs 131 and 135 of the National Planning Policy Framework 2024 (the Framework), good design is a key aspect of sustainable development and proposals should be sympathetic to local character, adding to the overall quality of the area.
8. The proposed outbuilding has orange colour horizontal clad walls under a “green” roof and full height windows and doors on its front elevation. Inside it is laid out for a home gym and office and includes a small shower room, with W.C. and sink. There is also a small attached store on the side of the proposed outbuilding.
9. The siting of the proposed outbuilding reflects that of most outbuildings within the rear garden environment. Its floor area and overall height within the rear garden environment appears to be comparable to other larger outbuildings in the local area. Whilst most outbuildings appear to have pitched roofs, the majority have very shallow pitches and the original outbuilding on the appeal site had a flat roof. Also some of the rear extensions, including the extension to the rear of the appeal dwelling have flat roofs. As a consequence, the flat roof of the proposed outbuilding respects the host dwelling and does not look out of place within the rear garden environment. Further, its green roof planting softens its appearance and relates well to the soft planting within the rear garden environment.
10. Conversely, although timber cladding is a common outbuilding material, its current orange tone colour makes it appear stark, prominent, and out of keeping within the rear garden environment. For this reason, the proposed outbuilding materially detracts from the appeal site and its surroundings. However, as suggested by the appellant the colour of the cladding could be changed to a natural wood tone. This would address this concern and is something that could be secured through the imposition of a condition.

11. For these reasons I conclude on the first main issue that subject to changing the colour of the outbuilding, it would respect and blend in readily with the appeal site and the rear garden environment. Accordingly, it complies with LP Policy QP3 and paragraphs 131 and 135 of the Framework.

Living conditions & other matters

12. LP Policy QP3.m seeks to ensure that proposals do not have an unacceptable effect on the living conditions of the occupiers of adjoining properties with regard to privacy, light, disturbance, pollution, dust, smell, sunlight and daylight. Whilst it does not refer to visual impact, paragraph 135 of the Framework states that proposals should promote health and wellbeing, with a high standard of amenity for existing and future users.
13. At the time of my appeal site visit the outer glass panes in the glazed entrance to the proposed outbuilding were obscured. This had a significant impact on the outlook from the interior of the outbuilding. It funnelled the outlook from the main room towards the centre of the host dwelling and prevented views towards the adjacent properties. Due to the distance of the central doors from the side boundaries with No.15 and No.19, when exiting the outbuilding views towards the ground floor rear windows and gardens of No.15 and No.19 were screened by boundary fencing. Also, the newly planted borders on either side of the central walkway restrict access to the outer sides of the existing lower tier. This results in greater separation between the accessible part of the lower raised tier and the adjacent gardens, when compared to when the former outbuilding existed.
14. The full height window on the north side of the front elevation is set in from the boundary with No.19 by at least 1.5 metres. Views from this window towards No.19 are restricted by both the boundary fence and newly planted trees. Notwithstanding this, during the winter months when the trees are not in leaf there would be views towards parts of the rear ground floor windows at No.19. Similarly, there are views towards parts of the rear ground floor windows at No.15 from the full height window on the southern side of the front elevation of the proposed outbuilding.
15. This is something that could be adequately addressed by using obscure glass in the panes of glass located immediately below the top opening panes of these windows. Again, this is something that could be satisfactorily secured through the imposition of a condition. Both the appellant and the council have been consulted on the need for and appropriateness of imposing an obscure glazing condition and have raised no concerns.
16. Concern has been expressed that the proposed outbuilding has been used for sleeping accommodation; that the external lights are intrusive and that the use of the building results in noise and disturbance.
17. Home working and many recreational activities are a normal part of family life and take place within homes and/or in garden buildings. As stated above the proposed outbuilding is comparable in size to other outbuildings in the locality. There is no reason why the use of the proposed outbuilding for the purposes set out in the application form would have a materially greater potential to generate noise and disturbance than the host or other properties in the locality.
18. use of the host property as a whole.

19. The use of the proposed outbuilding at night, together with the associated lighting would have more potential to result in noise, disturbance and light pollution at unsocial hours for the occupiers of neighbouring properties. However, as stated in paragraph 3 of this decision, the proposal as described on the application form and as set out in the appeal statement does not include the use of the building for sleeping accommodation. To accord with the terms of the application and to protect the living conditions of nearby residents it would be both necessary and reasonable to impose a condition which prevented such use. A condition would also be necessary and reasonable which prevents the use of the building as an independent residential unit, gym or office. This is to protect both the living conditions of the occupiers of neighbouring properties and the character of the rear garden environment
20. Finally, in their decision the Council refers to principle 10.4 of the Borough Wide Design Guide Supplementary Planning Document (SPD). However, as this principle specifically relates to extensions it is not directly applicable to the proposal.
21. I conclude on the second main issue that subject to the conditions set out above the use of the proposed outbuilding should not have a materially adverse impact on the living conditions of the occupiers of the neighbouring properties. Accordingly, the proposal complies with LP Policy QP3.

Conditions

22. Both the council and the appellant have been consulted regarding the need for and wording of the conditions referred to in paragraphs 10 and 19 of this decision. Whilst the appellant supports conditions which protect the living conditions of local residents, they have suggested various modifications which relate to sleeping accommodation. However, for the reasons set out in this decision I find that my suggested condition is necessary, reasonable and proportionate. Any proposal to use the proposed outbuilding for sleeping accommodation would need to be pursued via a separate planning application.
23. The council has questioned the need for some of the wording in conditions 1) and 2) set out below, however, as the proposed building already exists I consider it to be both necessary and precise.

Conclusion

24. Having regard to the conclusions on the main issues and all other matters raised the appeal is allowed.

Elizabeth Lawrence

INSPECTOR

Schedule of Conditions

- 1) The building hereby permitted shall be removed and materials resulting from demolition shall be removed within three months of the date of failure to meet any one of the requirements set out in i) to iv) below:
- i) Within 3 months of the date of this decision a scheme for obscure glazing of the outer window frames on either side of the entrance and the second to top frames of the

windows on the north and south sides of the front elevation of the outbuilding hereby permitted shall have been submitted for written approval of the local planning authority and the scheme shall include a timetable for its implementation.

- ii) If within 6 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State,
- iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

Upon completion of the approved obscure glazing scheme specified in this condition, that obscure glazing scheme shall thereafter be retained.

- 2) The building hereby permitted shall be removed and materials resulting from demolition shall be removed within three months of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 3 months of the date of this decision a scheme for staining the external timber boarded walls of the building hereby permitted a natural wood colour shall have been submitted for written approval of the local planning authority and the scheme shall include a timetable for its implementation.
 - ii) If within 6 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State,
 - iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

Upon completion of the approved wood staining scheme specified in this condition shall thereafter be retained.

- 3) The building hereby permitted shall be used for the ancillary purposes set out in the description for the development hereby permitted and at no time shall be occupied for sleeping accommodation, or as an independent office, gym or unit of residential accommodation.

End of Schedule