
Appeal Decision

Site visit made on 19 November 2025

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2025

Appeal Ref: APP/T0355/D/25/3374996

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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 and Maidenhead
 - The application Reference is 25/02079.
 - The development proposed is the relocation of front entrance door, raised front terrace, single storey side extension, new flat roof, raising of the ridge, addition of a first floor, new and alterations to steps, new balustrades, 1no. rear Juliet balcony, alterations to existing raised rear decking, fenestration and external finishes and 1no. replacement two storey outbuilding ancillary to the main dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the relocation of front entrance door, raised front terrace, single storey side extension, new flat roof, raising of the ridge, addition of a first floor, new and alterations to steps, new balustrades, 1no. rear Juliet balcony, alterations to existing raised rear decking, fenestration and external finishes and 1no. replacement two storey outbuilding ancillary to the main dwelling at 38A Old Ferry Drive, Wraysbury, Staines, TW19 5JT in accordance with the terms of the application, Reference 25/02079, subject to the conditions on the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on living conditions of neighbours.

Reasons

3. The appeal property is a detached single storey dwelling on the north-west side of Old Ferry Drive on a plot which fronts the River Thames. The property is set close to the river with a garage nearer to the road; a typical local pattern of development. The surrounding area is predominantly residential with a wide mix of detached properties, ranging from single storey dwellings to much larger homes, with a variety of design styles and materials. The proposal is as described above.

Living conditions

4. The Council considers that neighbours' living conditions at No 38 would be harmed via the scale and proximity of the planned works leading to loss of light, visual dominance and overbearing effects.
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5. As mentioned above, the area has an inherent variety of properties generally on narrow plots and larger homes can readily be seen alongside and close to single storey dwellings. It is also clear that over the years curtilages previously with single storey structures have seen those enlarged upwards and it would not be surprising if this pattern continued. As with the neighbouring home to the appeal property side facing windows understandably feature on deep narrow buildings; but without fail the main orientation and principal windows quite understandably face the Thames.
6. The appeal property's neighbouring dwelling's side windows, relatively tightly positioned to a screen boundary with a close building beyond, presently have very limited outlook. An increase in vertical wall height as planned on the appeal property would add to this but not unacceptably so in my opinion. The fact that the new first floor walling would not run the whole length of the neighbouring bungalow, would not be surmounted by a pitched roof, and would continue to keep path-spacing to the boundary assists this conclusion. In terms of the open areas of the neighbouring dwelling, the disposition of the planned first floor will have no blinkering impacts or an undue sense of these spaces being dominated. The principal focus on the river can fully continue within No 38.
7. Borough Local Plan (LP) Policy QP3 seeks to secure development which would have no unacceptable effect on residential amenity for neighbours. The Borough Wide Design Guide (BWDG) has similar aims as part of the whole and includes detailed guidance on the disposition of built form in relation to windows. The document reasonably acknowledges that its content is *guidance* and acceptable design solutions may vary; it cannot be expected to cover every eventuality in detail. For the reasons I have given, I conclude that the amenity aims of LP Policy QP3 and the objectives of the BWDG would not be breached by the appeal scheme.
8. I would add that I am cognisant of the appeal decision reference APP/T0355/D/25/3367054; I would assess the appeal proposal before me as being materially different from that determined in June 2025.

Conditions

9. The scheme should have the standard commencement condition. The Council suggests the requirement for intended external materials to be submitted and I would agree with this in the interest of visual amenity. I also agree that there should be a condition that works are to be carried out in accordance with listed, approved, plans; to provide certainty. I concur that residential amenity for neighbours should be protected by restrictions on the use of the annex, installation and type of windows, and changes or additions to the approved scheme. External lighting approval and measures towards biodiversity enhancement should also feature as conditions, in the interests of nature conservation.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the living conditions of neighbours. Accordingly, the appeal is allowed.

D Cramond INSPECTOR

SCHEDULE OF CONDITIONS (9)

1. The development to which this permission relates shall begin no later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 38AOFD/2/07, 38AOFD/2/08, 38AOFD/2/09, 38AOFD/2/10, 38AOFD/G/03, 38AOFD/G/05, 38AOFD/G/06, 38AOFR/1/01, 38AOFR/1/02, 38AOFR/1/03, 38AOFR/1/04 & 38AOFD/2/06A.
3. Prior to the commencement of the development, details of the materials to be used on the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out and maintained in accordance with the approved details.
4. No external lighting shall be installed until a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the LPA. The approved lighting plan shall thereafter be implemented as agreed.
5. Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include but not limited to 1no. integral sparrow nestbox, shall be submitted to and approved in writing by the LPA. The biodiversity enhancements shall thereafter be installed as approved.
6. The first-floor residential accommodation above the garage, hereby permitted, shall be used solely for residential purposes ancillary to the parent dwelling at 38A Old Ferry Drive and shall not be used at any time as a separate unit of living accommodation, nor shall it be let separately to another party, either permanently, or for any seasonal or holiday period.
7. The window to the stairwell and two first floor bathroom windows in the side elevations hereby permitted shall be fitted with obscure glazing and thereafter be permanently maintained as such.
8. No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without specific planning permission.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) no windows, other than those shown on the approved plans shall at any time be placed in any elevation of the development hereby permitted without specific planning permission.