



Appeal Decision

Site visit made on 16 September 2025 by J Reed MPlan

Decision by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2025

Appeal Ref: APP/T0355/D/25/3370792

Fairway, Fairfield Avenue, Datchet, Windsor and Maidenhead, Slough SL3 9NQ

- 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 Chatinder Bal against the decision of Royal Borough of Windsor and Maidenhead.
- The application Ref is 25/00812.
- The development proposed is double storey rear extension and a loft conversion.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issues

3. The description on the application form does not include the proposed front extension. For the avoidance of doubt, I have also considered this in my reasoning below.
4. The Council does not object to the ground and first floor front bay window, hip to gable extension and alterations to the fenestration. Based on all that I have seen and read, I see no reason to disagree. This decision therefore focuses on the proposed rear extension and, specifically, its effect on the character and appearance of the area and the effect of the proposed development on protected species.

Reasons for the Recommendation

Character and appearance

5. The appeal property is a two storey detached dwelling. It is located on the Fairfield Avenue and backs onto London Road, both of which consist of similarly designed and sized residential properties, several of which have been extended or altered. The appeal dwelling is one of a few detached dwellings within the area which contributes to a pleasant variety to the character and appearance.
6. The proposed rear extension would be visible from two public vantage points. Firstly, from Fairfield Avenue where the side elevation can be seen and secondly from London Road where glancing views of the rear of the appeal site can be gained. In both cases because of the extensions recessed position to the rear and

the appeal dwellings generous, verdantly screened plot the proposed rear extension would not be read as an unduly prominent feature in the street scene.

7. The proposal would be seen as a later addition to the main body of the dwelling. The Council consider that the proposed development would result in harm through virtue of the proposed extensions massing and height and would thus conflict with Principle 10.4 of the Borough Wide Design Guide (2020). Although the extension would increase the depth of the appeal dwelling and would match the existing dwellings ridge height it would not result in an overly prominent addition. I observed on my site visit that properties on London Road, Fairfield Avenue and Montrose Avenue vary in their design, depth and height which would result in the appeal proposals being read in conjunction with this varied character and appearance to the area. Therefore, the height of the proposal would not have an adverse impact on the character of the host property and surrounding area.
8. Given the overall design, size and position of the proposed extension, I do not find there would be harm to the character and appearance of the host dwelling. The use of materials to match those of the host dwelling, which could have been secured by condition, would create an acceptable visual connection with the host property.
9. I conclude that the proposed development would not harm the character and appearance of the host dwelling and the surrounding area. The proposed development therefore complies with Policy QP3 of the Borough Local Plan (2022), Policy DAT8 of the Datchet Neighbourhood Plan (2023) and the guidance set out in the Borough Wide Design Guide (2020) which all seek, amongst other things, for development to respect and enhance local character paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions and materials.

Protected Species

10. The appeal property is evidently close to a woodland, albeit I note the distance is disputed, and the proposal involves extensive work to the roof including the roof void. I have had regard to the Circular¹ which advises that bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.
11. Furthermore, guidance from Natural England² (NE) advises that surveys should be requested in certain circumstances, including where buildings are close to woodland or have hanging tiles or timber cladding on south facing walls. While other criteria in that list do not apply, I note in this case, those above are relevant.
12. While guidance may not be definitive on this matter, to my mind the site specific circumstances raise a reasonable likelihood of there being bats nesting or roosting in the roof area. As such, in order to avoid the potential for harm to this protected species, a survey would be appropriate. As there is no bat survey before me, I am not able to rule out the possibility of bats being disturbed or unacceptably harmed by the proposal. Attaching a planning condition to a grant of planning permission to require a bat survey to be produced prior to commencement of development would

¹ Biodiversity And Geological Conservation – Statutory Obligations and Their Impact Within The Planning System

² Bats: advice for making planning decisions

not provide a solution as the results may show the presence of bats, but permission would have been granted. This approach would not be suitable in this case.

13. I have had regard to the appellant's other submissions on this matter, including that the extension would be on the north facing elevation at the rear of the property and that the south facing front elevation is not materially changed, so the prospect of disturbing bats is remote. However, the proposed plans show a two-storey front bay window to the front. Regardless, the proposal includes significant changes to the roof space and as such this does not convince me the proposal would not disturb or harm bats.
14. Furthermore, the site check search results indicate that there are no records of bats nearby. However, as the NE guidance advises, absence of a record does not mean there are no bats. It could mean there is no survey data available for that location.
15. Consequently, I conclude that there is insufficient information on which to conclude that harm to bats would be avoided and this would be in conflict with Policy NR2 of the Borough Local Plan (2022) and Policy DAT8 of the Datchet Neighbourhood Plan (2023) which both seek amongst other things for all development to protect existing habitats and species.

Other Matters

16. I note the appellant's concerns regarding how the Council handled the planning application. However, it is not my role to mediate disputes of this type. The Council will have its own complaints procedure, and I would advise the appellant to explore this for future reference. I have assessed the proposal on its own merits based on the evidence before me.

Conclusion and Recommendation

17. Whilst I have concluded that there would be a lack of harm on the first main issue, I cannot be certain that protected species are sufficiently safeguarded in regard to the second main issue. As a result, I therefore recommend the appeal be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

C McDonagh

INSPECTOR