



Appeal Decision

Site visit made on 10 February 2026

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 March 2026

Appeal Ref: APP/T0355/C/24/3346039

16 Thurlby Way, Maidenhead SL6 3YZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Lee Clark against an enforcement notice issued by Royal Borough of Windsor and Maidenhead.
- The notice was issued on 10 May 2024.
- The breach of planning control as alleged in the notice is: 'Without planning permission, the erection of two storey side extension, with integral dormer windows in front and rear elevations.'
- The requirements of the notice are to:
 - (i) demolish the extension hatched in blue on the appended plan.
 - (ii) remove from the land all building materials and rubble arising following compliance with step (i).
- The period for compliance with the requirements is: within 3 calendar months.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of decision: the appeal is dismissed and the enforcement notice is upheld in the terms set out below in the Formal Decision.

Preliminary Matters

1. I understand that planning permission¹ was granted in October 2020 for part single, part two storey side and rear extensions. Evidently, the side extension as built exceeded the width permitted, while condition 2 attached to the permission dictated that external materials must be of similar appearance to those of the host building. At the time of my site visit, the external works appeared largely complete, and the extension and host building were both faced in an off-white render.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host building and local area.

Reasons

3. The appeal property is located at the junction of Thurlby Way and Cadwell Drive and forms one half of a pair of two-storey dwellings. The surrounding area is generally comprised of a mix of house styles. However, there are generally recurring characteristics such as the use of brick as the predominant building material and spacing between properties and offset from roads which gives the local area a somewhat spacious feel. Notably, the dwelling on the opposite side of Cadwell Drive is set-in from the road which offsets the built form on the junction.
4. The development has added substantial mass to one side of the host building and appears to have doubled its width when compared to the adjoining semi. This has

¹ 20/02126/FULL

overwhelmed the original property and unbalanced the handed pair in a significantly harmful manner. Furthermore, while the original front facing dormer appears to still be in place, albeit now clad in darker material, the addition of larger dormers to the front and rear elevations of the side extension accentuate its harmful and domineering scale.

5. This extra width extends almost to the footpath to the side, with only a small strip of grass remaining. This makes the extension appear oppressive and the harmful appearance of the extension overall is compounded by the rendering of the whole property in an off-white render set against the predominant brick appearance of other dwellings in the host and surrounding street scenes.
6. To conclude, the development is harmful to the character and appearance of the host building and local area. This conflicts with policy QP3 of the Borough Local Plan 2013 – 2033 (adopted February 2022), which seeks to ensure development respects and enhances the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features, enclosure and materials, amongst other things. The development is also contrary to advice in paragraph 135 of the National Planning Policy Framework (the Framework), which seeks to ensure development is sympathetic to local character and history, including the surrounding built environment.

Other Matters

7. I understand that there was some confusion regarding which plans were approved when the appellant began building the extension due to a misunderstanding. I note the appellant admits that they should have done more due diligence at the time, but this oversight does not give sufficient reason to allow harmful development. I am informed of other extensions in the area, but I have no further information on any of these to compare to the development before me. While the previous owners may not have looked after the property, I do not consider the development to be of positive design.
8. I further understand that the appellant has mobility issues, and that they state that the development benefits them in their day to day life due to these conditions. I have therefore had due regard to the Public Sector Equality Duty (PSED) as set out under the Equality Act 2010. However, I have very little information on these matters before me and such I cannot be certain that the private benefits of the development would outweigh the harm I have identified. I note the supporting comments from neighbours, although there are also objecting comments submitted. Either way, these matters do not outweigh the harm I have identified.

Conclusion

9. For the reasons given above, the development would conflict with the development plan and the Framework. The harm caused would not be outweighed by any benefits as presented to me. I therefore conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Formal Decision

10. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under s177(5) of the Town and Country Planning Act 1990

C McDonagh

INSPECTOR