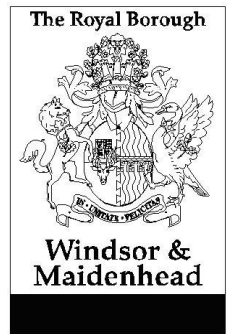


# Appeal Decision Report

29 October 2015 - 26 November 2015

WINDSOR URBAN



**Appeal Ref.:** 15/00056/REF      **Planning Ref.:** 14/03341/FULL      **Plns Ref.:** APP/T0355/W/  
15/3062170

**Appellant:** Newhomes Estates Ltd **c/o Agent:** Mr Phillip Hughes PHD Chartered Town Planners P E  
Hughes P O Box 700 St Albans Hertfordshire AL2 3WB

**Decision Type:** Committee      **Officer Recommendation:** Defer and Delegate

**Description:** Construction of 7 x self-contained flats with associated bin shed, bike store, parking and amended access following the demolition of existing dwelling and garage

**Location:** **65 Imperial Road Windsor SL4 3RU**

**Appeal Decision:** Allowed      **Decision Date:** 10 November 2015

**Main Issue:**

The main issues in the appeal decision were:

1. The effect of the development on the character and appearance of the area;
2. Its effect on living conditions at neighbouring properties; and
3. Its effect on local air quality.

The appeal Inspector considered that the plot is of a sufficient size to accommodate the building without it appearing unduly cramped, with sufficient space retained to all sides, and the building is also designed to reduce its apparent bulk through variations in roof height, form and depth. The space provided for landscaping is sufficient, and the character and appearance of the area would not be harmed by the proposal. With regard to impacts on the living conditions at neighbouring properties, the proposal would not be overbearing in relation to the closest residential property, 65A Imperial Road, or harm its outlook. It would also be sited far enough from this property to ensure that it would not be unduly overbearing, despite its size. It was also considered that the impacts on 71 and 73 Upcroft would not be unacceptable, due to the size of the garden at number 73 and the separation distances between the proposed building and these nearby properties. The additional traffic would be very limited and would have no material effect on local amenity. Overall, the living conditions of neighbouring residents would not be harmed by the development. A specialist air quality report provided in the appeal statement concluded that the proposed development is too small to have a significant impact on air quality, and this view was not disputed by the relevant Council officer. The decision noted that local residents are concerned at the effect of this and other recent developments on air quality, noting that there are two Air Quality Management Areas nearby and that even small developments such as this may have an effect when considered cumulatively. However, as the expert evidence makes it clear that these effects would not be at a significant level and bearing in mind that the site does itself not fall within an Air Quality Management Area, these concerns are not a sufficient reason to withhold planning permission.

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