

Appeal Decision Report

27 April 2017 - 25 May 2017

MAIDENHEAD

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Royal Borough
of Windsor &
Maidenhead

Appeal Ref.: 16/60110/REF **Planning Ref.:** 16/02059/FULL **Plns Ref.:** APP/T0355/D/16/3161134

Appellant: Mr N Collett **c/o Agent:** Ms Nicola Broderick NMB Planning Ltd 124 Horton Road Datchet Slough SL3 9HE

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: Single storey side extension, rear dormer to facilitate a loft conversion, 1 No. rear roof light and alterations to fenestration.

Location: **3 Willant Close Maidenhead SL6 3NL**

Appeal Decision: Allowed **Decision Date:** 27 April 2017

Main Issue: The Inspector found that the proposal would have an acceptable effect upon the character and appearance of the existing bungalow and the surrounding area. This would comply with Local Plan Policies DG1 and H14. This would represent good design as required by paragraph 56 of the National Planning Policy Framework.

Appeal Ref.: 17/60014/NOND **Planning Ref.:** 16/01411/FULL **Plns Ref.:** APP/T0355/W/16/3162882

Appellant: Oakford Homes **c/o Agent:** Mr Alistair Harris Wyg Plc First Floor The Pavilion Grange Drive Hedge End SO30 2AF

Decision Type: Committee **Officer Recommendation:** Would Have Refused

Description: Erection of 4 No. dwellings with associated access works, public open space, car parking and landscaping to include on site parking area for nursery staff and additional parking for the residents of Roman Lea.

Location: **Land To North And East of Cookham Nursery School Station Hill Cookham Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 28 April 2017

Main Issue: The appeal was considered on three grounds in line with the Council's Panel report advising it would have refused the application on 1) the impact on the character and appearance of the area, 2) the impact on trees and 3) the loss of open space. The Inspector considered that the Cookham High Street Conservation Area to be significantly enhanced by the areas of open space. The appeal site clearly visually and physically separates The Pound from Cookham Rise and contributes to the rural setting of the village as part of the network of open spaces in and around the settlement. The proposal would involve the undeniable development of land which forms an important part of the character of the Conservation Area. Views from the south would be affected and the scheme would join up the two areas of the village. This would adversely affect both the character and appearance of the area. The Inspector did not consider that the proposal would harm important trees in the area, nor did he consider that it would harm the setting of any listed buildings. When considering the size of the site, the Inspector was not convinced that the proposal would reach the high bar of causing substantial harm to the character and appearance of the Conservation Area. However, the proposal would neither enhance or preserve the CA and would cause less than substantial harm to the CA. The public benefits of the scheme do not outweigh the harm. The Planning Inspector was not convinced that the proposal would be contrary to paragraph 74 of the NPPF in respect to the loss of open space as the site is not publicly accessible.

Appeal Ref.: 17/60023/REF **Planning Ref.:** 16/02663/FULL **Plns Ref.:** APP/T0355/W/17/3168222

Appellant: Mr Peter Prior - Summerleaze Ltd c/o **Agent:** Ms Jan Molyneux Molyneux Planning 38 The Lawns Brill Aylesbury Buckinghamshire HP18 9SN

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: Installation of 2 x air conditioning units (retrospective)

Location: **Barn Office Sheephouse Farm Sheephouse Road Maidenhead SL6 8HJ**

Appeal Decision: Dismissed **Decision Date:** 22 May 2017

Main Issue: The air conditioning units do not correspond with any of the exceptions to inappropriate development listed in paragraph 89 of the Framework. While both paragraph 90 of the Framework and Policy GB1 of the Local Plan permit engineering operations which maintain openness and do not conflict with the purposes of including land within the Green Belt, the Inspector determined that the air conditioning units are structures which constitute buildings. As such, they are not engineering operations. The proposal is inappropriate development which, by definition, is harmful to the Green Belt. There is little information to indicate that there are other considerations which should be taken into account in support of the proposal. Therefore, based on the evidence, the substantial weight given to Green Belt harm is not clearly outweighed by other considerations sufficient to demonstrate very special circumstances. The proposal would conflict with Policy GB1 of the Local Plan and the provisions of the Framework which seek to protect the Green Belt.

Appeal Ref.: 17/60027/NOND ET **Planning Ref.:** 16/01621/FULL **Plns Ref.:** APP/T0355/W/17/3167276

Appellant: Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

Decision Type: Delegated **Officer Recommendation:** Would Have Refused

Description: Detached dwelling with parking and amenity space following demolition of existing outbuildings

Location: **Land At Sunnyside Lock Lane Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 24 May 2017

Main Issue: The Inspector found significant material harm to the character and appearance of the surrounding area and to the living conditions of the occupiers of neighbouring properties, as well as unacceptable living conditions for future occupiers. Overall the Inspector found that the adverse impacts of the scheme would significantly and demonstrably outweigh its benefits.

Planning Appeals Received

28 April 2017 - 25 May 2017

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The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email teame1@pins.gsi.gov.uk

Other appeals: The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email teamp13@pins.gsi.gov.uk

Ward:

Parish: Bray Parish
Appeal Ref.: 17/60043/REF **Planning Ref.:** 16/03423/FULL **PIns Ref.:** APP/T0355/D/17/3170933

Date Received: 2 May 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Two storey side, first floor side and single storey rear extension (amendment to planning permission 15/00122).

Location: **37 The Bingham's Maidenhead SL6 2ES**
Appellant: S Puri **c/o Agent:** Mr Duncan Gibson Duncan Gibson Consultancy 74 Parsonage Lane Windsor Berkshire SL4 5EN

Ward:

Parish: Bray Parish
Appeal Ref.: 17/60044/REF **Planning Ref.:** 16/03680/FULL **PIns Ref.:** APP/T0355/D/17/3170221

Date Received: 2 May 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder

Description: Two storey rear extension.
Location: **Willow Place Oakley Green Road Oakley Green Windsor SL4 4PZ**
Appellant: Mr A Richards **c/o Agent:** Mr David Bates Domus Design Associates The Gatehouse Sonning Lane Sonning Reading RG4 6ST

Ward:

Parish: Maidenhead Unparished
Appeal Ref.: 17/60047/REF **Planning Ref.:** 16/03011/FULL **PIns Ref.:** APP/T0355/W/17/3171818

Date Received: 3 May 2017 **Comments Due:** 7 June 2017
Type: Refusal **Appeal Type:** Written Representation
Description: Demolition of existing dwelling and replacement with 12no. apartments and modifications to existing gatehouse (retained as a 1-bedroom dwelling), associated parking and landscaping

Location: **17 Castle Hill Maidenhead SL6 4AD**
Appellant: Mr G Murray **c/o Agent:** Mr T Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

Ward:

Parish: Maidenhead Unparished
Appeal Ref.: 17/60050/REF **Planning Ref.:** 16/03923/FULL **PIns Ref.:** APP/T0355/W/17/3173633

Date Received: 15 May 2017 **Comments Due:** 19 June 2017
Type: Refusal **Appeal Type:** Written Representation
Description: Conversion of existing store and undercroft parking to 1 x 1 bedroom flat, new bin and cycle store and associated parking and landscaping

Location: **Danish Court 3 - 5 St Peters Road Maidenhead SL6 7QU**

Appellant: Mr Rashid **c/o Agent:** Miss Emma Runesson JSA Architects Ltd Tavistock House Waltham Road Maidenhead SL6 3NH

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 17/60051/REF **Planning Ref.:** 16/01769/FULL **Plns Ref.:** APP/T0355/W/17/3168858
Date Received: 17 May 2017 **Comments Due:** 21 June 2017
Type: Refusal **Appeal Type:** Written Representation
Description: Change of use to separate dwelling.
Location: **The Lodge Boathouse Court Road Maidenhead**
Appellant: Mr Anthony Tanner The Lodge Court Road Maidenhead SL6 8LQ

Ward:
Parish: Bisham Parish
Appeal Ref.: 17/60053/ENF **Enforcement Ref.:** 16/50097/ENF **Plns Ref.:** APP/T0355/C/17/3171088
Date Received: 19 May 2017 **Comments Due:** 30 June 2017
Type: Enforcement Appeal **Appeal Type:** Inquiry
Description: Appeal against the Enforcement Notice: Without planning permission the material change of use of the land from the keeping of horses for recreational use, including stabling and grazing of horses, and training and exercising of horses in the approved ménage; to a commercial stud farm and livery with residential occupation.
Location: **Fairview Stables Darlings Lane Maidenhead SL6 6PB**
Appellant: Mr Robert Johnston **c/o Agent:** Mr John A Andrews John Andrews Associates The Lodge 66 St Leonards Road Windsor Berkshire SL4 3BY

Appeal Ref.: 17/60030/REF **Planning Ref.:** 16/03431/FULL **Plns Ref.:** APP/T0355/D/17/3168766
Appellant: Mr Nassar Ali **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Detached outbuilding (retrospective)
Location: **22 Ray Lea Close Maidenhead SL6 8QW**
Appeal Decision: Dismissed **Decision Date:** 4 May 2017

Main Issue: Character and Appearance: The proposed outbuilding, combined with the existing rear extensions would fail to respect and would materially detract from the spacious and verdant character and appearance of the back garden environment and the estate as a whole. This harm would outweigh the benefits for the Appellant and his family that would result from the provision of the proposed gym. The proposed outbuilding would undermine and have a materially harmful impact on the character and appearance of the area. It would therefore conflict with policy DG1 of the Local Plan and the NPPF. Living Conditions: The proposed resultant private garden area would be unacceptably poor in relation to quantity and usability and would result in an unsatisfactory living environment for the occupiers of the host property. Accordingly, the scheme would conflict with the NPPF which, amongst other things, seeks to ensure that new development is of a high quality design and that a good standard of amenity is provided for all existing and future occupants of land and buildings. Living Conditions of Neighbouring Properties: The proposed outbuilding, together with the existing rear extensions, would unacceptably harm the living conditions of the occupiers of No.23 due to their overbearing visual impact, contrary to the NPPF. Flood Risk: The Inspector concluded on the fourth main issue that the Appellant has failed to demonstrate that the proposal would not increase the risk of flooding for people and property in the area. It would therefore conflict with policy F1 of the Local Plan and the NPPF.
