

Appeal Decision Report

22 April 2017 - 19 June 2017

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WINDSOR RURAL

Appeal Ref.: 17/60018/REF **Planning Ref.:** 16/01991/VAR **Plns Ref.:** APP/T0355/W/17/3166776

Appellant: Mr Mark Hendy Shanly Homes Limited 21 The Crescent Leatherhead KT22 8DY

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

Description: Redevelopment to provide 8 houses following demolition of existing dwellings. Amended design to planning permission 13/00974 as approved under planning permission 14/02408 without complying with conditions 14 (vehicle parking and turning space), 21 (arboricultural method statement) to amend the wording

Location: **Former Hunters Lodge And 1 And 2 Ascot Lodge London Road Ascot**

Appeal Decision: Dismissed **Decision Date:** 23 May 2017

Main Issue: The Inspector considered that a precautionary approach was required because damage to the tree roots could generally speaking not be undone, and if this occurred, harm would be caused to trees which make an important contribution to the character of the area. The Inspector also stated that the parking space proposed to be located in front of plot 2 was better located than others, but from the evidence submitted it was not clear whether its retention could be accepted without harm to nearby trees.

Appeal Ref.: 17/60019/REF **Planning Ref.:** 16/02489/FULL **Plns Ref.:** APP/T0355/W/16/3166229

Appellant: Mr G Silverthorne **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle GU34 4NB

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

Description: Detached dwelling.

Location: **Land Adjacent 84 Beech Hill Road Ascot**

Appeal Decision: Allowed **Decision Date:** 31 May 2017

Main Issue: The Inspector concluded that there are no matters that significantly and demonstrably outweigh the benefits of the proposal when assessed against the LP and NP. The proposal complies with the Framework without the need to consider of the tilted planning balance due to any shortfall in 5 year housing supply.

Appeal Ref.: 17/60026/REF **Planning Ref.:** 16/00531/FULL **Plns Ref.:** APP/T0355/W/17/3
166697

Appellant: Mr Mike Guard Wentworth Homes Wentworth House 23 The Causeway Staines Middlesex TW18 3AQ

Decision Type: Committee **Officer Recommendation:** Application Permitted

Description: Two detached houses with rooms in roof and integrated garages following demolition of existing dwelling.

Location: **Lynwood Chase Devenish Lane Sunningdale Ascot SL5 9QU**

Appeal Decision: Allowed **Decision Date:** 23 May 2017

Main Issue: The Inspector considered that due to the scale, height, design and siting of the properties within their plots, the significant set back from the lane and side boundaries and the retention of most trees, the proposal would not adversely affect the sense of spaciousness in the area and therefore would not give rise to a materially different character. The Inspector consequently concluded that the proposal would not result in material harm to the character and appearance of the surrounding area. As such the scheme would comply with the Royal Borough of Windsor and Maidenhead Local Plan (2003) (LP) Policies DG1 and H11 which both include seeking development that would be compatible with the local character of an area.

Appeal Ref.: 17/60029/REF **Planning Ref.:** 16/03400/FULL **Plns Ref.:** APP/T0355/D/17/3
167767

Appellant: Mr J Thomas **c/o Agent:** Mr Nick Griffin Griffin Planning Consultancy Ltd 63 Pevensy Way Frimley Camberley Surrey GU16 9UU

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

Description: Two storey front/side extension

Location: **Chartwood 8 Hancocks Mount Ascot SL5 9PQ**

Appeal Decision: Allowed **Decision Date:** 13 June 2017

Main Issue: The proposal would involve construction within the RPA's of T1 and T4, however trench works have revealed limited rooting and root incursion. As there would be minimal incursion into the RPA's of the mentioned trees, an extensive grassed area within the appeal site that would sustain the majority of the remaining tree roots, a significant zone of ground protection around trees T1, T3 and T4 to safeguard their roots, and the fact that the loss of tree T2 would not materially harm the character and appearance of the area. It is considered that the proposed extension, subject to conditions, would accord with the provisions of the development plan, saved policies DG1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted in June 2003). These policies, amongst other things, seek to ensure development which is sympathetic to local areas and to protect existing trees. For the same reasons the proposal is in conformity with policy NP/EN2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026 that also promotes the retention and protection of existing trees. Condition: In addition to the standard 3 year time limitation for commencement of development, the Inspector imposed a condition requiring compliance with approved plans for the avoidance of doubt. A condition requiring the use of matching materials is appropriate to safeguard the character and appearance of the area. In the interest of protecting retained trees during the course of development, the Inspector included conditions stipulating adherence to specified protection measures. A final condition enables the provision of a replacement tree, to safeguard the character of the area, if a tree indicated for retention dies within 5 years of commencement of development.

Appeal Ref.: 17/60031/REF **Planning Ref.:** 16/01658/FULL **Plns Ref.:** APP/T0355/D/17/3169237

Appellant: Ms Nita Juj And Mr Malcolm Booker **c/o Agent:** Mr Chris Watts Maze Planning Ltd 1 Rooks Close Welwyn Garden City Herts AL8 6JT

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

Description: Part single, part two storey side and rear extension and partial demolition of porch.

Location: **Little Murtle Sunninghill Road Sunninghill Ascot SL5 7DA**

Appeal Decision: Dismissed **Decision Date:** 4 May 2017

Main Issue: The Planning Inspector considered that there would be considerable pressure from the future occupants of the extended dwelling to either fell or cut it back the Red Oak tree. The loss of the tree would be materially harmful to the character and appearance of the surrounding area. Such harm would clearly outweigh the benefits for the Appellant and their family that would result from the proposed extension and would fail to meet the wider public interest, in terms of the NPPF. For these reasons the proposal is considered to be contrary to policies DG1 and N6 of the Local Plan, policy NP/EN2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and the NPPF.

Appeal Ref.: 17/60042/REF **Planning Ref.:** 17/00044/FULL **Plns Ref.:** APP/T0355/D/17/3172564

Appellant: Mr And Mrs K Davies **c/o Agent:** Mr Christopher Arden Christopher Arden Chartered Architects 11 Galton Road Ascot SL5 0BP

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

Description: Single storey front extension following demolition of existing front extension and replace existing glazed roof with flat roof.

Location: **192 Chobham Road Sunningdale Ascot SL5 0JA**

Appeal Decision: Dismissed **Decision Date:** 15 June 2017

Main Issue: The Inspector noted that the occupiers of No 194 did not object and agrees with the Council that there would be no undue loss of light caused. The Inspector concluded that the proposal would unacceptably harm the living conditions at No 194 due to the impact on outlook from that property. The proposal therefore conflicts with the aims of Policy H14 of the RBWM Local Plan and the National Planning Policy Framework, to ensure that extensions do not significantly affect the amenities of neighbouring properties and to secure a good standard of amenity for all.

Planning Appeals Received

21 April 2017 - 19 June 2017

WINDSOR RURAL

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: Old Windsor Parish
Appeal Ref.: 17/60040/NONDET **Planning Ref.:** 15/04081/FULL **PIns Ref.:** APP/T0355/W/16/3
 165223
Date Received: 21 April 2017 **Comments Due:** 26 May 2017
Type: Non-determination **Appeal Type:** Hearing
Description: Erection of a block of 8 x residential units with semi-basement parking and landscaping, following demolition of existing office and flats
Location: **The Boatyard 105 Straight Road Old Windsor Windsor SL4 2SE**
Appellant: Mr S Rye - Simon Rye Pension Fund c/o **Agent:** Mr Paul Uttley FORM-Architecture And Planning Hersham Place 41 - 61 Molesey Road Hersham Walton-On-Thames Surrey KT12 4RZ

Ward:
Parish: Sunningdale Parish
Appeal Ref.: 17/60042/REF **Planning Ref.:** 17/00044/FULL **PIns Ref.:** APP/T0355/D/17/
 3172564
Date Received: 2 May 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Single storey front extension following demolition of existing front extension and replace existing glazed roof with flat roof.
Location: **192 Chobham Road Sunningdale Ascot SL5 0JA**
Appellant: Mr And Mrs K Davies c/o **Agent:** Mr Christopher Arden Christopher Arden Chartered Architects 11 Galton Road Ascot SL5 0BP

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 17/60045/REF **Planning Ref.:** 16/03771/FULL **PIns Ref.:** APP/T0355/W/17/3
 172618
Date Received: 3 May 2017 **Comments Due:** 7 June 2017
Type: Refusal **Appeal Type:** Written Representation
Description: Siting of storage container in car park (retrospective)
Location: **Dog And Partridge 92 Upper Village Road Ascot SL5 7AQ**
Appellant: Mr Tomasz Szymkowicz Dog And Partridge 92 Upper Village Road Ascot SL5 7AQ

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 17/60046/NONDET **Planning Ref.:** 17/00297/FULL **PIns Ref.:** APP/T0355/W/17/

3172740

Date Received: 3 May 2017 **Comments Due:** 7 June 2017
Type: Non-determination **Appeal Type:** Written Representation
Description: Double storey rear extension
Location: **Wentworth And Associates White Hart House 9 Silwood Road Ascot SL5 0PY**
Appellant: Mr Dale Greenhead **c/o Agent:** Mr Kevin Gill Planning 4 Property Avondale Barrack Path Woking Surrey GU21 8UA

Ward:
Parish: Sunningdale Parish
Appeal Ref.: 17/60048/REF **Planning Ref.:** 16/02810/FULL **Plns Ref.:** APP/T0355/W/17/3
169962

Date Received: 3 May 2017 **Comments Due:** 7 June 2017
Type: Refusal **Appeal Type:** Written Representation
Description: Erection of a detached five bedroom dwelling with attached garage.
Location: **Land At Priory Lodge Priory Road Sunningdale Ascot**
Appellant: Mr G Scott **c/o Agent:** Mr Graham Sturdy Surrey Planning And Design Ltd 19 Station Road Addlestone KT15 2AL

Ward:
Parish: Old Windsor Parish
Appeal Ref.: 17/60054/REF **Planning Ref.:** 16/03142/FULL **Plns Ref.:** APP/T0355/W/17/3
174561

Date Received: 1 June 2017 **Comments Due:** 6 July 2017
Type: Refusal **Appeal Type:** Written Representation
Description: Erection of a pair of 3 bedroom semi-detached houses with associated parking and landscaping, following demolition of all existing buildings.
Location: **Rosedale 54 Albany Road Old Windsor Windsor SL4 2QA**
Appellant: Jordan Construction Limited **c/o Agent:** Boyer Planning Wokingham Boyer Planning Crowthorne House Nine Mile Ride Wokingham RG40 3GZ

Ward:
Parish: Old Windsor Parish
Appeal Ref.: 17/60057/REF **Planning Ref.:** 16/03741/FULL **Plns Ref.:** APP/T0355/D/17/
3173231

Date Received: 8 June 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Proposed dropped kerb
Location: **50 Straight Road Old Windsor Windsor SL4 2RX**
Appellant: Miss Heidie Grech **c/o Agent:** Mr Ken Marshall Marshall Associates Honyash Curls Lane Maidenhead Berkshire SL6 2QF