

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

Planning Appeals Received

15 September - 13 October 2017

MAIDENHEAD

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: Maidenhead Unparished
Appeal Ref.: 17/60089/REF **Planning Ref.:** 17/01026/FULL **PIns Ref.:** APP/T0355/W/17/3182668
Date Received: 14 September 2017 **Comments Due:** 19 October 2017
Type: Refusal **Appeal Type:** Written Representation
Description: Removal of existing tree to form new access road off Altwood Road to 59 Altwood Road (Windy Ridge).
Location: **Windyridge 59 Altwood Road Maidenhead SL6 4PN**
Appellant: Mr S Thorn c/o **Agent:** Mr Duncan Gibson 74 Parsonage Lane Windsor Berkshire SL4 5EN

Ward:
Parish: Hurley Parish
Appeal Ref.: 17/60092/REF **Planning Ref.:** 17/01012/FULL **PIns Ref.:** APP/T0355/D/17/3182376
Date Received: 21 September 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Detached outbuilding (retrospective).
Location: **2 Wellington Cottages Warren Row Road Warren Row Reading RG10 8QX**
Appellant: Mr And Mrs Phil And Donna Cavell c/o **Agent:** Ms Irum Khan IQ Planning Consultants 4 Kendor Avenue Epsom Surrey KT19 8RH

Ward:
Parish: Cookham Parish
Appeal Ref.: 17/60094/REF **Planning Ref.:** 17/01193/FULL **PIns Ref.:** APP/T0355/D/17/3182812
Date Received: 26 September 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Construction of a timber outbuilding/tree house - retrospective
Location: **Dean Grange Terrys Lane Cookham Maidenhead SL6 9RS**
Appellant: Mr & Mrs P. Griffin c/o **Agent:** Mr James Lambert James Lambert Architects Ltd 50 Kingsway Place London EC1R OLU

Ward:
Parish: Bisham Parish
Appeal Ref.: 17/60095/REF **Planning Ref.:** 17/01445/FULL **PIns Ref.:** APP/T0355/D/17/

Date Received:	26 September 2017	Ref.:	3181841
Type:	Refusal	Comments	Not Applicable
Description:	First floor rear extension	Due:	
Location:	Rosemount Burchetts Green Road Burchetts Green Maidenhead SL6 6QS	Appeal Type:	Householder
Appellant:	Mr Robert Creer c/o	Agent:	Mr Justin Coles Coles Designs 17 Stratford Drive Wooburn Green High Wycombe HP10 0QQ

Appeal Decision Report

15 September - 13 October 2017

Maidenhead

Appeal Ref.:	17/60021/ENF	Enforcement Ref.:	16/50445/ENF	Plns Ref.:	APP/T0355/C/16/3 164340
Appellant:	Mr Samuel Driver c/o Agent: Mr Sam Eachus Kernon Countryside Consultants Ltd Greenacres Barn Purton Stoke Swindon Wiltshire SN5 4LL				
Decision Type:	Officer Recommendation:				
Description:	Appeal against the Enforcement Notice, siting of a metal container without planning permission.				
Location:	Land Between Lightlands Lane And Strande View Walk And Strande Lane Cookham Maidenhead				
Appeal Decision:	Dismissed		Decision Date: 18 August 2017		
Main Issue:	<p>Ground B: a clear indication that the container has a degree of permanence in that it has not moved and there is no clear intention for it to be moved. As a matter of fact and degree, its siting constitutes a building operation, which is operational development. Appeal fails</p> <p>Ground C: the siting of the container does constitute operational development which is not permitted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the appeal site is less than 5 hectares. Appeal fails</p> <p>Ground A: The development is contrary to national and development plan policy and for the reasons given above. The Inspector concluded that the appeal on ground (a) should be dismissed.</p> <p>Ground G: The appellant has made no reasoned argument as to why an on-site facility is essential and the notice does not require the container to be replaced even if the siting of a caravan at the appeal site were to be acceptable, which is not under consideration in this appeal. Whilst the container would need to be moved using specialist equipment, possibly by a contractor, this would not be an unduly complex operation requiring an extended period and 7 days would be sufficient time to arrange for the removal of the container. Appeal fails</p>				

Appeal Ref.: 17/60065/REF **Planning Ref.:** 16/03903/CLA **Plns Ref.:** APP/T0355/W/17/3175665
Appellant: Mr Geoffrey Copas - Copas Farms **c/o Agent:** Mr John Hunt Pike Smith And Kemp Rural And Commercial Ltd The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: (Class Q) part change of use from an agricultural building to a dwellinghouse (C3) and associated operational development
Location: **Agricultural Building At Lower Mount Farm Whyteladyes Lane Cookham Maidenhead**
Appeal Decision: Allowed **Decision Date:** 3 October 2017
Main Issue: The Inspector found that the proposed development would comply with the permitted development criteria set out in Class Q.1 of Schedule 2, Part 3 of the Order and would not require prior approval under Class Q.2. As such it would be permitted development. The operation of the Order is not restricted by the existing planning condition of the 2009 permission, as it does not contain the wording 'and for no other purpose', 'only' or 'for no other use'. Costs were awarded against the Council, as it has not properly taken into account the relevant legal judgments. Indeed, in its cost rebuttal it continues to rely upon only part of the Dunoon judgment. The Inspector therefore found that unreasonable behaviour resulting in unnecessary expense, as described in the PPG, has been demonstrated and an award of costs is justified.

Appeal Ref.: 17/60066/REF **Planning Ref.:** 17/00478/FULL **Plns Ref.:** APP/T0355/W/17/3174647
Appellant: Mr Ian Parkinson **c/o Agent:** Mr Kaleem Janjua M C S Design Architectural Services 53 Westmead Windsor SL4 3NN
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Construction of a pair of 3 bedroom semi detached dwellings following the demolition of existing bungalow.
Location: **23 Havelock Road Maidenhead SL6 5BJ**
Appeal Decision: Dismissed **Decision Date:** 3 October 2017
Main Issue: The main issues are the effect of the proposed development upon (i) the character and appearance of the area and (ii) highway safety and the free flow of traffic. Inspector supported first issue and agreed proposed development would have an impact on the character and appearance of the area. Inspector did not support second issue as he considered that it is reasonable to accept that a room shown as a study was to be used as a study rather than a bedroom. Also considered that although not in the accessible area of Maidenhead that there was nearby means of public transport. Whilst he agreed that there might be manoeuvring issues, he did not consider that this would result in on-street parking and detrimental impacts on highway safety as the road is not busy. Inspector did not consider that the proposal due to the identified harm constituted sustainable development and therefore there was no presumption in favour of sustainable development.

Appeal Ref.:	17/60072/REF	Planning Ref.:	16/03508/FULL	Plns Ref.:	APP/T0355/W/17/3 174874
Appellant:	Mrs Maire Buttimer c/o Agent: Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Construction of x4 2bed and x5 1bed flats with access to Braywick road and Greenfields following demolition of existing dwelling				
Location:	23 Braywick Road And Land To The Rear Providing Access From Greenfields Maidenhead				
Appeal Decision:	Allowed	Decision Date:	4 October 2017		
Main Issue:	The Inspector considered that the proposal would both reflect the essential characteristics of the row of houses along Braywick Road, and harmonise with the design approved at Nos. 25 and 27. In terms of its siting, scale and design, the proposal would be consistent with the general scale and character of the neighbouring development. The proposal would have no unacceptably harmful effect on the character of the street scene.				

Appeal Ref.:	17/60073/NON DET	Planning Ref.:	16/02354/LBC	Plns Ref.:	APP/T0355/Y/17/ 3175201
Appellant:	Mr Safian Majeed 52 Braywick Road Maidenhead SL6 1DA				
Decision Type:	Committee	Officer Recommendation:	Would Have Refused		
Description:	Consent for change of use of ground floor from commercial to 2x two bedroom apartments				
Location:	Pappadums 3 Nicholsons Lane Maidenhead SL6 1HR				
Appeal Decision:	Dismissed	Decision Date:	5 October 2017		
Main Issue:	The Inspector described the submitted plans as sketchy, inaccurate and incomplete, and noted that the proposed alterations, based on inadequate survey plans, were inaccurately shown: it was therefore difficult to assess the detail of what was proposed let alone its impact on the building. The Heritage Statement did not identify the significance of the Grade II Listed Building and there was no evidence that appropriate expertise had been used by the applicant to prepare the scheme or to assess its impact on the heritage asset. The insertion of additional windows would undermine the essentially simple industrial character of the building and the conversion to flats would likely result in the remaining original stable block flooring being lost. The proposed works would obscure key features of the building, making it impossible to understand the original form and use of the building. The proposed alterations would be so extensive and so damaging to the special interest of the stable building that they would cause substantial harm to the significance of the building as a heritage asset.				

Appeal Ref.:	17/60074/NON DET	Planning Ref.:	16/02340/LBC	Plns Ref.:	APP/T0355/Y/17/ 3175168
Appellant:	Mr Safian Majeed 52 Braywick Road Maidenhead SL6 1DA				
Decision Type:	Committee	Officer Recommendation:	Would Have Refused		
Description:	Consent for replacement of glass conservatory with a three storey rear extension to create 2 x 1 No. bedroom flats and 1 No. studio flat with amendments to fenestration				
Location:	Pappadums 3 Nicholsons Lane Maidenhead SL6 1HR				
Appeal Decision:	Dismissed	Decision Date:	5 October 2017		
Main Issue:	<p>The Inspector described the submitted plans as sketchy, inaccurate and incomplete, and noted that the proposed alterations, based on inadequate survey plans, were inaccurately shown: it was therefore difficult to assess the detail of what was proposed let alone its impact on the building. The Heritage Statement did not identify the significance of the Grade II Listed Building and there was no evidence that appropriate expertise had been used by the applicant to prepare the scheme or to assess its impact on the heritage asset. The proposed works would obscure key features of the building, making it impossible to understand the original form and use of the building. The proposed alterations would be so extensive and so damaging to the special interest of the stable building that they would cause substantial harm to the significance of the building as a heritage asset.</p>				

Appeal Ref.:	17/60075/NON DET	Planning Ref.:	16/02352/FULL	Plns Ref.:	APP/T035/W/17/3 175196
Appellant:	Mr Safian Majeed 52 Braywick Road Maidenhead SL6 1DA				
Decision Type:	Committee	Officer Recommendation:	Would Have Refused		
Description:	Change of use of ground floor from commercial to 2x two bedroom apartments				
Location:	Pappadums 3 Nicholsons Lane Maidenhead SL6 1HR				
Appeal Decision:	Dismissed	Decision Date:	5 October 2017		
Main Issue:	<p>The Inspector described the submitted plans as sketchy, inaccurate and incomplete, and noted that the proposed alterations, based on inadequate survey plans, were inaccurately shown: it was therefore difficult to assess the detail of what was proposed let alone its impact on the building. The Heritage Statement did not identify the significance of the Grade II Listed Building and there was no evidence that appropriate expertise had been used by the applicant to prepare the scheme or to assess its impact on the heritage asset. The insertion of additional windows would undermine the essentially simple industrial character of the building and the conversion to flats would likely result in the remaining original stable block flooring being lost. The proposed works would obscure key features of the building, making it impossible to understand the original form and use of the building. The proposed alterations would be so extensive and so damaging to the special interest of the stable building that they would cause substantial harm to the significance of the building as a heritage asset. The Listed Building and its special features would not be preserved or enhanced and the contribution that it makes to the character and appearance of the Conservation Area would be seriously undermined such that it would cause less than substantial harm to the significance of this designated heritage asset. No evidence of the appropriate marketing of the building was demonstrated.</p>				

Appeal Ref.:	17/60076/NON DET	Planning Ref.:	16/02350/FULL	Plns Ref.:	APP/T0355/W/17/ 3175140
Appellant:	Mr Safian Majeed 52 Braywick Road Maidenhead SL6 1DA				
Decision Type:	Committee	Officer Recommendation:	Would Have Refused		
Description:	Replacement of glass conservatory with a three storey rear extension to create 2 x 1 No. bedroom flats and 1 No. studio flat with amendments to fenestration				
Location:	Pappadums 3 Nicholsons Lane Maidenhead SL6 1HR				
Appeal Decision:	Dismissed	Decision Date:	5 October 2017		

Main Issue: The Inspector described the submitted plans as sketchy, inaccurate and incomplete, and noted that the proposed alterations, based on inadequate survey plans, were inaccurately shown: it was therefore difficult to assess the detail of what was proposed let alone its impact on the building. The Heritage Statement did not identify the significance of the Grade II Listed Building and there was no evidence that appropriate expertise had been used by the applicant to prepare the scheme or to assess its impact on the heritage asset. The proposed works would obscure key features of the building, making it impossible to understand the original form and use of the building. The proposed alterations would be so extensive and so damaging to the special interest of the stable building that they would cause substantial harm to the significance of the building as a heritage asset. The Listed Building and its special features would not be preserved or enhanced and the contribution that it makes to the character and appearance of the Conservation Area would be seriously undermined such that it would cause less than substantial harm to the significance of this designated heritage asset.
