

Planning Appeals Received

29 September 2018 - 29 October 2018

WINDSOR URBAN

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Should you wish to make additional/new comments in connection with an appeal you can do so on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk/> please use the PIns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Other appeals: The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

Ward:

Parish: Windsor Unparished

Appeal Ref.: 18/60124/ENF **Enforcement Ref.:** 17/50150/ENF **PIns Ref.:** APP/T0355/C/18/3199099

Date Received: 24 October 2018

Comments Due: 5 December 2018

Type: Enforcement Appeal

Appeal Type: Written Representation

Description: Appeal against the Enforcement Notice: Erection of a building without planning permission.

Location: **Mill Stream Motors Mill Lane Windsor SL4 5JH**

Appellant: Mr Colin Messer Mill Stream Motors Mill Lane Windsor SL4 5JH



Appeal Decision Report

28 September 2018 - 29 October 2018

WINDSOR URBAN

Appeal Ref.: 18/60047/REF **Planning Ref.:** 17/03682/FULL **Plns Ref.:** APP/T0355/W/18/3199115

Appellant: Mr William Ball **c/o Agent:** Mr Kevin J. Turner 4 Little Oaks Close Shepperton Surrey TW17 0GA

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

Description: Construction of a detached single storey 2-bedroom dwelling

Location: **Land Between 3 And 4 And 5 Clewer Fields Windsor**

Appeal Decision: Dismissed **Decision Date:** 4 October 2018

Main Issue: The appeal was dismissed on the grounds of: 1. Harm to character and appearance of the area due to siting, height and design of dwelling - cramped and contrived appearance. 2. Does not pass the sequential test and would not be safe from flooding and would increase the number of people at risk of flooding contrary to policy F1.

Appeal Ref.: 17/60116/ENF **Enforcement Ref.:** 17/50138/ENF **Plns Ref.:** APP/T0355/C/17/3182835

Appellant: Mr D Loveridge And T Giles Mssrs D Loveridge And T Giles **c/o Agent:** Dr Angus Murdoch Murdoch Planning Limited P O Box 71 Ilminster Somerset TA19 0WF

Decision Type: **Officer Recommendation:**

Description: Appeal against the Enforcement Notice: Without Planning Permission the material change of use of the land from its current mixed use to a mixed use as existing with the addition of storage of cars, containers, scrap vehicles and vehicle parts; the importation of materials to form a hardstanding in connection with the storage of cars the siting of a portacabin and toilet block and the erection of palisade fencing.

Location: **Datchet Common Horton Road Datchet Slough**

Appeal Decision: Withdrawn **Decision Date:** 18 October 2018

Appeal Ref.: 18/60077/REF **Planning Ref.:** 17/00401/OUT **Plns Ref.:** APP/T0355/W/18/
3197255

Appellant: Messrs Williamson And Bugden **c/o Agent:** Mr Gili-Ross Architects Corporation Ltd Flat 1
Thornhill House 14 Upton Road Watford WD18 0JP

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

Description: Outline application for access, appearance, layout and scale be considered at this stage
(with landscaping to be reserved), for a 2.5 storey building comprising 8 flats (7 x 1 bed and
1 x 2 bed) with car parking and cycle storage.

Location: **Former 138 Datchet Cottage Horton Road Datchet Slough**

Appeal Decision: Dismissed **Decision Date:** 2 October 2018

Main Issue: The Inspector commented that the net increase of 7 residential units would result in an intensification of the former residential use. He also considered that the Sequential Test was very limited in its extent and it has not been demonstrated that the development is 'necessary' in terms of paragraph 155 of the NPPF. As such, the development would conflict with paragraph 155 and would be unacceptable on flood risk grounds. The Inspector comments that the building with its considerable bulk and mass would be prominent from a variety of public vantage points in the locality. The Inspector also comments that the elevations are bland, uninspiring and relate poorly to adjacent building; and the side (east) elevation in particular is bereft of articulation resulting in an unattractive building. Furthermore, adding to the Inspector's concerns is the large proportion of the site take up by hardstanding. He concludes that the development would harm the character and appearance of the area contrary to policies DG1, H10, and H11 of the Local Plan. However, the Inspector considered that the development would not unacceptably harm the living conditions of neighbouring occupiers with regard to noise, disturbance or living conditions. The Inspector was also satisfied that subject to recommended protection measures set out in the appellant's Tree Report, the development would not jeopardise the health of trees.

Appeal Ref.: 18/60078/REF **Planning Ref.:** 17/02911/FULL **Plns Ref.:** APP/T0355/W/18/
3196739

Appellant: Mr David Ham Boundstone Developments Ltd **c/o Agent:** Mr Peter Smith PJSA Chartered
Surveyors The Old Place Lock Path Dorney Windsor SL4 6QQ

Decision Type: Committee **Officer Recommendation:** Refuse

Description: 10 flats with associated parking following the demolition of the existing Public House

Location: **The Queen 282 Dedworth Road Windsor SL4 4JR**

Appeal Decision: Allowed **Decision Date:** 28 September 2018

Main Issue: The Inspector considered that overall the development would be appropriate in terms of its bulk, scale, design and layout, would not harm the character and appearance of the area and would accord with Local Plan policies DG1, H10 and H10, which seek development which is high quality and compatible with its surroundings. The amount of separation and orientation would be sufficient to ensure that neighbouring occupiers (at No. 284) would not be subjected to unreasonable levels of enclosure or overbearing elements in the rearward views. Furthermore, the Inspector was satisfied that there would be not be any harmful overlooking or loss of privacy to neighbours. The Inspector also commented that the removal of a noise generating use such a pub is likely to have a significant beneficial effect on the amenity of local residents.

Appeal Ref.: 18/60088/REF **Planning Ref.:** 17/03439/FULL **Plns Ref.:** APP/T0355/W/18/
3199532

Appellant: Hawtrey Developments Ltd **c/o Agent:** Mr S Saxena ADS Suite 462 5 Spur Road Isleworth
Middlesex TW7 5BD

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

Description: Erection of 3 x maisonettes with associated parking following the demolition of 4 x existing
garages.

Location: **Land To The Rear of Maynard Court Clarence Road Windsor**

Appeal Decision: Dismissed **Decision Date:** 11 October 2018

Main Issue: The Inspector in the absence of an individual FRA was not satisfied that the development would be safe for its lifetime nor that it would not increase the risk of flooding to neighbouring properties and therefore concluded that the exceptions test had not been passed. It was also noted that the proposal fails to comply with policy F1 of the Local Plan. The Inspector also concluded that there is a significant likelihood that an inadequate standard of living space would be provided (in the flat within the roof), which would be harmful to the living conditions of future occupiers of the flat.
