

## Planning Appeals Received

9 October 2018 - 30 November 2018

### WINDSOR RURAL

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:** Wraysbury Parish  
**Appeal Ref.:** 18/60119/REF      **Planning Ref.:** 18/00571/FULL      **PIns Ref.:** APP/T0355/D/18/3212267  
**Date Received:** 16 October 2018      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Fast Track Appeal  
**Description:** Single storey front extension, single storey rear extension, first floor extension to provide additional habitable accommodation with conversion from one and a half to two storey dwelling and alterations to fenestration  
**Location:** **4 Welley Avenue Wraysbury Staines TW19 5HE**  
**Appellant:** Mr Richard Micallest **c/o Agent:** Mr Martin Gaine Just Planning Unit 822 19 - 21 Crawford Street London W1H 1PJ

**Ward:**

**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 18/60121/REF      **Planning Ref.:** 17/03056/OUT      **PIns Ref.:** APP/T0355/W/18/3207532  
**Date Received:** 18 October 2018      **Comments Due:** 22 November 2018  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Outline application (access) for the construction of 11 x 2 bed apartments and associated access.  
**Location:** **Land To The Rear of 4 And 5 Claver Drive Ascot**  
**Appellant:** Mr Kris Collett **c/o Agent:** Mr T Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

**Ward:**

**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 18/60122/REF      **Planning Ref.:** 17/03504/FULL      **PIns Ref.:** APP/T0355W/18/3198815  
**Date Received:** 18 October 2018      **Comments Due:** 22 November 2018  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Change of use of retail unit to mixed A1 (retail) and D1 (dental surgery)  
**Location:** **Location 48 High Street Sunninghill Ascot SL5 9NF**  
**Appellant:** Dr Willsher **c/o Agent:** Mrs Fiona Jones Cameron Jones Planning 3 Elizabeth Gardens Ascot SL5 9BJ

**Ward:**  
**Parish:** Wraysbury Parish  
**Appeal Ref.:** 18/60123/REF      **Planning Ref.:** 18/00660/CPD      **Plns Ref.:** APP/T0355/X/18/3210084  
**Date Received:** 24 October 2018      **Comments Due:** 5 December 2018  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Certificate of lawfulness to determine whether a single storey rear extension and 2 No. single storey side/rear extensions are lawful.  
**Location:** **Quarterdeck 2 Lammas Drive Staines TW18 4TS**  
**Appellant:** Mr I Eddine **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB

**Ward:**  
**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 18/60126/ENF      **Enforcement Ref.:** 17/50148/ENF      **Plns Ref.:** APP/T0355/C/18/3197660  
**Date Received:** 25 October 2018      **Comments Due:** 6 December 2018  
**Type:** Enforcement Appeal      **Appeal Type:** Written Representation  
**Description:** Appeal against the Enforcement Notice: Without planning permission the erection of a fence (also referred to as a means of enclosure) adjacent to a highway.  
**Location:** **15 Brockenhurst Road Ascot SL5 9DJ**  
**Appellant:** MS HANNAH LEWIS **c/o Agent:** Mr Trevor Dennington Land Planning Associates Thurston Lodge Sandpit Lane Thurston Suffolk IP31 3SD

**Ward:**  
**Parish:** Sunningdale Parish  
**Appeal Ref.:** 18/60127/ENF      **Enforcement Ref.:** 16/50281/ENF      **Plns Ref.:** APP/T0355/C/18/3197671  
**Date Received:** 25 October 2018      **Comments Due:** 6 December 2018  
**Type:** Enforcement Appeal      **Appeal Type:** Written Representation  
**Description:** Appeal against the Enforcement notice: Without planning permission the erection of a replacement property border (boundary treatment) with new wall, pillars, rear fence panels and front railings over 1m and adjacent to a Highway.  
**Location:** **2 Oakdene Sunningdale Ascot SL5 0BU**  
**Appellant:** Mr Stuart Kinner **c/o Agent:** Mr Edward Mather Colony Architects 4 Mount Pleasant Cottages Bracknell Road Warfield Berkshire RG42 6LA

**Ward:**  
**Parish:** Bray Parish  
**Appeal Ref.:** 18/60129/REF      **Planning Ref.:** 16/01254/FULL      **Plns Ref.:** APP/T0355/W/18/3210790  
**Date Received:** 29 October 2018      **Comments Due:** 3 December 2018  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Demolition of existing residential garage and outbuildings associated with Southfields and replacement of part of the front boundary wall; construction of single storey building to accommodate an electrical sub-station, switch room and CCTV room; satellite dishes; foul pumping station including kiosk, service vehicle parking and secure means of enclosure; landscaping and a new vehicular access lane including fencing and gate with an upgraded existing access with the A308 Windsor Road.  
**Location:** **Southfields And Land Rear of Southfields Windsor Road Water Oakley Windsor**  
**Appellant:** Farmglade Limited **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB

**Ward:**  
**Parish:** Sunningdale Parish  
**Appeal Ref.:** 18/60136/REF      **Planning Ref.:** 18/02492/TPO      **Plns Ref.:** APP/TPO/T0355/7066  
**Date Received:** 12 November 2018      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Fast Track Appeal  
**Description:** (T7) Oak T7 - Extra Over mature - Air Spade Root investigation and root analysis of soil area within the proposed foundation area to establish what root activity is present and its species. (TPO 50 of 2006)  
**Location:** **Land Adjacent Wellington House Rise Road Ascot**

**Appellant:** Mr Steve Wood - SMW (Tree) Consultancy Ltd **c/o Agent:** Mr Stephen M Wood SMW (Tree) Consultancy Ltd 3 Orchard Close Blackwater Camberley GU17 9EX

**Ward:**  
**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 18/60137/REF **Planning Ref.:** 18/01673/OUT **Plns Ref.:** APP/T0355/W/18/3215559

**Date Received:** 14 November 2018 **Comments Due:** 19 December 2018  
**Type:** Refusal **Appeal Type:** Written Representation  
**Description:** Outline application for access, layout and scale to be considered at this stage with all other matters to be reserved for the construction of x14 apartments with associated access and landscaping works.

**Location:** **Land To The Rear of 4 And 5 Claver Drive Ascot**  
**Appellant:** Mr Kris Collett **c/o Agent:** Mr Tom Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

**Ward:**  
**Parish:** Wraysbury Parish  
**Appeal Ref.:** 18/60134/ENF **Enforcement Ref.:** 15/50430/ENF **Plns Ref.:** APP/T0355/C/18/3195612

**Date Received:** 28 November 2018 **Comments Due:** 9 January 2019  
**Type:** Enforcement Appeal **Appeal Type:** Written Representation  
**Description:** Appeal against the Enforcement Notice: 1. Noncompliance with condition 1 of planning permission 11/01377 (consent for temporary use of the land for the storage of 3 mobile homes and a touring caravan, storage containers, site office, material storage and off street parking for work vehicles required to facilitate the construction of planning approval 09/00510). 2. Formation of a hard surface without planning permission.

**Location:** **28 Station Road Wraysbury Staines TW19 5NE**  
**Appellant:** Mr Paul Williams **c/o Agent:** Mr D Lane DLA Town Planning Ltd Unit 5 Gavel Centre Porters Wood St Albans Hertfordshire AL3 6PQ

**Ward:**  
**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 18/60141/REF **Planning Ref.:** 18/01904/FULL **Plns Ref.:** APP/T0355/D/18/3215484

**Date Received:** 30 November 2018 **Comments Due:** 28 December 2018  
**Type:** Refusal **Appeal Type:** Fast Track Appeal  
**Description:** Part single storey rear extension and part first floor side extension over existing garage

**Location:** **Albany House Whynstones Road Ascot SL5 9HW**  
**Appellant:** Mr And Mrs P Waters Albany House Whynstones Road Ascot SL5 9HW

# Appeal Decision Report

9 October 2018 - 30 November 2018

## WINDSOR RURAL



**Appeal Ref.:** 18/60090/NOND **Planning Ref.:** 17/03315/FULL **Plns Ref.:** APP/T0355/W/18/3  
ET 197022

**Appellant:** Dr M Walia **c/o Agent:** Mrs Fiona Jones Cameron Jones Planning 3 Elizabeth Gardens Ascot  
SL5 9BJ

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

**Description:** Replacement of front boundary wall with a sliding gate and wall with railings

**Location:** **Westerley The Green Horton Road Horton Slough SL3 9NU**

**Appeal Decision:** Dismissed **Decision Date:** 29 October 2018

**Main Issue:** The Inspector concluded that the proposed wall would be inappropriate development in the terms set out in the Framework and lead to a small loss of openness to the Green Belt. The Inspector also found that the wall would be moderately harmful to the character and appearance of the area and significant harmful to highway safety. These issues are not outweighed by the considerations advanced by the appellant and in the wider evidence so as to amount to very special circumstances.

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**Appeal Ref.:** 18/60091/NOND **Planning Ref.:** 17/03316/FULL **Plns Ref.:** APP/T0355/W/18/  
ET 3197023

**Appellant:** Dr M Walia **c/o Agent:** Mrs Fiona Jones Cameron Jones Planning 3 Elizabeth Gardens  
Ascot SL5 9BJ

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

**Description:** Erection of an obscure glazed screen around the rear flat roof

**Location:** **Westerley The Green Horton Road Horton Slough SL3 9NU**

**Appeal Decision:** Allowed **Decision Date:** 29 October 2018

**Main Issue:** The Inspector concluded that the development was inappropriate development within the Green Belt, did not harm the character of the host building or the street scene and did not significantly impact on neighbour amenity.

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**Appeal Ref.:** 18/60106/REF      **Planning Ref.:** 17/03485/FULL      **Plns Ref.:** APP/T0355/W/18/3201119  
**Appellant:** Miss A M Hanke **c/o Agent:** Mrs Emily Temple ET Planning LTD Beechey House 87 Church Street  
Crowthorne RG45 7AW Berkshire  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Change of use of the land from equestrian to residential curtilage, use of existing outbuildings for ancillary storage and workshop and formation of existing track for access and parking (part-retrospective) following demolition of menage  
**Location:** **18 Garson Lane Wraysbury Staines TW19 5JF**  
**Appeal Decision:** Dismissed      **Decision Date:** 12 November 2018

**Main Issue:** The appeal site is located in the Green Belt. The Inspector found that there was insufficient evidence to demonstrate the site had a continuous (for at least 10 years prior to submission of the application) recreational equestrian use, despite the presence of stables and a menage, and as claimed by the appellant. The Inspector also considered there was no evidence that the appeal site had previously been in residential use prior to being in an equestrian use. The appeal site was not previously developed land and the proposal is inappropriate development in the Green Belt. Although the operational development proposed was small, it would lead to a material change in the character of the area, having a domesticating effect that would introduce an alien feature into the landscape which would have a negative impact on the rural character of the area. There were no other considerations that would clearly outweigh the harm to the Green Belt and therefore very special circumstances did not exist. The appeal and an application for an award of costs were dismissed.

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**Appeal Ref.:** 18/60107/REF      **Planning Ref.:** 18/00754/FULL      **Plns Ref.:** APP/T0355/D/18/3208118  
**Appellant:** Mr David Brittain 29 Dale Lodge Road Sunningdale Ascot SL5 0LY  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** First floor side extension and extension of the existing driveway to create x1 additional parking space  
**Location:** **29 Dale Lodge Road Sunningdale Ascot SL5 0LY**  
**Appeal Decision:** Dismissed      **Decision Date:** 23 October 2018

**Main Issue:** To preserve the visual separation between properties and to avoid a terracing effect, a minimum space of 1 metre to be retained. The Council considers that the reduction from 1.0m to 0.5m as referred to in the main issue above would in this case fail to maintain the spacious character of the surrounding area to the detriment of the character of the street scene. The Inspector also noted that the Council's stance is supported in this case in an objection by Sunningdale Parish Council. It was the opinion of the inspector that a 1.0m separation to the boundary for this type of extension is long established and seems to me to be the minimum acceptable figure to prevent the potential for a terracing effect and an incremental loss of spacious character. The allowing of a scheme of this nature would undermine policy. It was concluded that the reduction of the gap between the proposed first floor side extension and the adjoining property at No. 27 from 1.0m as approved in permission reference 16/01123 to the 0.5m sought in the appeal application would have an unacceptable effect on the character and appearance of the Dale Lodge Road street scene. This would be in harmful conflict with Policies H14 & DG1 of the Local Plan; Policies SP2 & SP3 of the merging Local Plan; Policies NP/DG1, NP/DG2 & MP/DG3 of the Neighbourhood Plan, and Section 12: 'Achieving Well-Designed Places' of the Framework.

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**Appeal Ref.:** 18/60119/REF      **Planning Ref.:** 18/00571/FULL      **Plns Ref.:** APP/T0355/D/18/3212267  
**Appellant:** Mr Richard Micallest **c/o Agent:** Mr Martin Gaine Just Planning Unit 822 19 - 21 Crawford Street  
London W1H 1PJ  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Single storey front extension, single storey rear extension, first floor extension to provide additional  
habitable accommodation with conversion from one and a half to two storey dwelling and alterations  
to fenestration  
**Location:** **4 Welley Avenue Wraysbury Staines TW19 5HE**  
**Appeal Decision:** Dismissed      **Decision Date:** 28 November 2018

**Main Issue:** While properties on this side of Welley Avenue may have been altered, the ridge lines have remained low. As a result they are relatively inconspicuous in the street scene. Rather than sitting comfortably, the increase in height and overall form of No 4 would make it appear bulky, incongruous and out of keeping with the existing modest bungalows on this side of Welley Avenue. Even though it would be stepped in at first floor level to one side, the incongruity would be emphasised by the close proximity of No 4 with the adjacent properties. Even with the hipped roof it would appear dominant in the streetscene. While there would be similarities in terms of scale and design with Nos 3 and 5, they are not directly comparable with the appeal proposal due to the differing character and form of development on each side of the road. Along Welley Road there were several 2 storey properties together, but nowhere was there a one 2 storey dwelling within a row of single storey ones. The proposal would be harmful to the character and appearance of the area. As such, it would be contrary to the elements of Policies DG1 and H14 of The Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted in June 2003). These policies, amongst other things, seek to ensure that all development, whether alterations or new buildings, does not harm the character or appearance of the original property and surrounding area, or result in the loss of features which contribute to that character. The proposal would harm the character and appearance of the area. It would therefore conflict with the development plan, which is consistent with the Framework's approach to design. There are no other considerations that outweigh this harm. The presumption in favour of sustainable development which is set out in the Framework therefore does not apply.

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