

Planning Appeals Received

5 February 2019 - 4 March 2019

MAIDENHEAD

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: Maidenhead Unparished
Appeal Ref.: 19/60011/REF **Planning Ref.:** 18/02303/FULL **PIns Ref.:** APP/T0355/D/19/3220506
Date Received: 21 February 2019 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: New Boundary Treatment (Retrospective).
Location: **22 Westfield Road Maidenhead SL6 5AU**
Appellant: Mr M Farooq **c/o Agent:** Mr Mumtaz Alam MZM Associates 29 Gordon Road Maidenhead SL6 6BR

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60014/NONDET **Planning Ref.:** 18/02808/CONDI **PIns Ref.:** APP/T0355/W/19/3221714
Date Received: 27 February 2019 **Comments Due:** 3 April 2019
Type: Non-determination **Appeal Type:** Written Representation
Description: Details required by condition 10 (hard and soft landscaping) of planning permission 17/03579 for the erection of two agricultural livestock buildings, new access with wire stock fencing and timber posts, gates and track and agricultural hardstanding
Location: **Land To The West of Mullberry Coningsby Lane Fifield Maidenhead**
Appellant: Mrs Helen Kendall Smith **c/o Agent:** Mr Tom McArdle Pike Smith & Kemp Rural The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60015/NONDET **Planning Ref.:** 18/02826/CONDI **PIns Ref.:** APP/T0355/W/19/3221715
Date Received: 27 February 2019 **Comments Due:** 3 April 2019
Type: Non-determination **Appeal Type:** Written Representation
Description: Details required by condition 10 (hard and soft landscaping) of planning permission 17/03580 for the erection of agricultural storage building, new access with wire stock fencing and timber posts, gates and track and agricultural hardstanding.
Location: **Land To The West of Mullberry Coningsby Lane Fifield Maidenhead**
Appellant: Mrs Helen Kendall Smith **c/o Agent:** Mr Tom McArdle Pike Smith And Kemp Rural The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Appeal Decision Report

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Appeal Ref.: 18/60108/REF **Planning Ref.:** 18/00500/CPD **Plns Ref.:** APP/T0355/X/18/3206630
Appellant: Mr R Ellis **c/o Agent:** Ms N Broderick NMB Planning Ltd 10 Church Road Alderton Tewkesbury GL20 8NR
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Certificate of Lawfulness to determine whether the proposed outbuilding is lawful
Location: **Crosside Broadmoor Road Waltham St Lawrence Reading RG10 0HY**
Appeal Decision: Dismissed **Decision Date:** 25 February 2019

Main Issue: There is no disagreement regarding compliance of the proposed outbuilding with the limitations for a building under Schedule 2, Part 1, Class E of the GPDO 2015 (as amended) and the proposed uses of the building in themselves being incidental to the enjoyment of the dwellinghouse. The contended issue is whether the proposed building is reasonably required for these incidental uses. The Inspector references *Emin vs SSE and Mid Sussex [1989]* which indicates this matter does not rest solely on the unrestrained whim of the applicant. It is reasoned that the (relative and absolute) size of an outbuilding is a partial consideration and the term 'incidental' denotes elements of both subordination and reasonableness. Although the size of the building by itself is not excessive, the Inspector considers the wider context, including the existence of several large outbuildings on the site. It is observed that a number of these buildings have been converted from their original use (e.g. garage) to habitable accommodation, including sanitary facilities. With regards to the Appellant's claim that there is insufficient space in these existing buildings to contain the proposed therapy/gym facilities, the Inspector states this has not been satisfactorily demonstrated, on the balance of probability. The Inspector concludes that, in relation to the host dwelling and taken together with the existing outbuildings, the proposed outbuilding is too large, cumulatively exceeding what is reasonably considered as necessary to be incidental to the enjoyment of the dwellinghouse. Therefore, the proposal is not permitted development under Schedule 2, Part 1, Class E of the GPDO 2015 (as amended).

Appeal Ref.: 18/60114/REF **Planning Ref.:** 18/00717/FULL **Plns Ref.:** APP/T0355/W/18/3206652
Appellant: Mr B Sandhu **c/o Agent:** Mr Ifti Maniar Green Stone Planning And Design 11 Bankside Headington Oxford OX3 8LT
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Construction of a detached dwelling with parking and vehicular access from Carisbrooke Close following the demolition of the existing garage.
Location: **Land At 2 Carisbrooke Close Maidenhead SL6 4RG**
Appeal Decision: Allowed **Decision Date:** 1 March 2019

Main Issue: The main issue was the impact of the development on the character and appearance of the area. The Inspector concluded that in the context of this relatively mixed character of dwelling types in the area, the proposed detached house would not appear incongruent on the site and the dwelling would be appropriately sited in line with the front wall of no.2 and would maintain reasonable separation spaces to both side boundaries. The Inspector considered that the new house would not appear to be unduly cramped, and would sit comfortably within its boundaries. The appeal was therefore allowed as the Inspector concluded that the proposal would accord with policies H10, H11 and DG1.

Appeal Ref.: 18/60131/REF **Planning Ref.:** 18/00263/FULL **Plns Ref.:** APP/T0355/W/18/3211780
Appellant: Mr & Mrs Goyal **c/o Agent:** Paul Dickinson Highway House Lower Froyle Hants GU34 4NB
Decision Type: Committee **Officer Recommendation:** Application Permitted
Description: Construction of 7 x 1 bed and 9 x 2 bed apartments with associated parking with access off Braywick Road and Greenfields following demolition of 2 x dwellings.
Location: **25 - 27 Braywick Road Maidenhead**
Appeal Decision: Allowed **Decision Date:** 1 March 2019

Main Issue: The Inspector considered that although the bulk and mass of the building would be greater than that currently on the site and that previously approved, it's ground level would be lower than the notable influence of the main road, and its setting within a group of properties with no prevailing size or design means that its height and scale would not appear disproportionate in this context. As such the Inspector concluded that the proposed building would not be overbearing, cramped or represent overdevelopment. The Inspector also concluded that the scheme would not cause unacceptable harm to trees.

Appeal Ref.: 18/60132/REF **Planning Ref.:** 17/01993/FULL **Plns Ref.:** APP/T0355/W/18/3207932
Appellant: Dr Courtenay-Smith **c/o Agent:** Miss Stefania Petrosino JSA Architects Ltd Tavistock House Waltham Road Maidenhead SL6 3NH
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Proposed extension and conversion of the existing dwelling to provide 5 No. flats with associated parking and amenity space
Location: **107 Blackamoor Lane Maidenhead SL6 8RW**
Appeal Decision: Dismissed **Decision Date:** 1 March 2019

Main Issue: The Inspector concluded that the proposed development would have a harmful effect on the character and appearance of the surrounding area and in this respect would be contrary to Policies DG1 (Design Guidelines), H10 (Housing Layout and Design) and H11 (which relates to an appropriate scale of development in established residential areas) of the Local Plan. The Inspector found it has not been demonstrated that there are no reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding and as such concluded that the proposed development would have an unacceptable effect on flood risk, contrary to Policy F1 of the Local Plan.

Appeal Ref.: 18/60133/REF **Planning Ref.:** 18/01482/OUT **Plns Ref.:** APP/T0355/W/18/3211768
Appellant: Mr J Parton **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Outline application (access, layout and scale) for the construction of x3 detached dwellings
Location: **35 Havelock Road Maidenhead SL6 5BJ**
Appeal Decision: Dismissed **Decision Date:** 27 February 2019

Main Issue: The Inspector considered that the dwelling (plot 3) situated to the rear of the site with no road frontage would not be in keeping with the pattern of development in this area. In addition, they considered that the subdivision of the curtilage into plot 1, plot 2 and the shared access for plots 2 and 3 would result in smaller plot widths than those found in the surrounding area. For these reasons the Inspector considered that the proposed development would be a cramped form of development which would not be in keeping with the prevailing character of the area. The Inspector also concluded that the extent to which the protected species would be affected would be likely to be sufficiently harmful that the proposed development would result in harm to biodiversity.

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60016/REF **Planning Ref.:** 18/02818/FULL **Plns Ref.:** APP/T0355/W/19/3220424
Date Received: 28 February 2019 **Comments Due:** 4 April 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Erection of a new dwellinghouse and detached garage
Location: **Kimbers Farm Oakley Green Road Oakley Green Windsor SL4 4QF**
Appellant: Mr L Quinn **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60017/REF **Planning Ref.:** 18/02912/FULL **Plns Ref.:** APP/T0355/W/18/3218709
Date Received: 28 February 2019 **Comments Due:** 4 April 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 2 x dwellings
Location: **Land Opposite Lenore Cottage Rolls Lane Holyport Maidenhead SL6 2JQ**
Appellant: Mrs Lucy Pickering 116 Woodlands Road Ashurst Southampton SO40 7AL

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60019/NONDET **Planning Ref.:** 17/03010/FULL **Plns Ref.:** APP/T0355/W/18/3219126
Date Received: 28 February 2019 **Comments Due:** 4 April 2019
Type: Non-determination **Appeal Type:** Written Representation
Description: Change of use and extension to the upper floors from ancillary retail use to form 12 apartments, alteration and extension of the ground floor retail unit with roof terrace over, construction of a block of 20 apartments
Location: **70 - 72 High Street Maidenhead**
Appellant: Mr Paul Devine **c/o Agent:** Mr Paul Devine Left City Ltd Storey B/2 160 West George Street Glasgow G2 2HG

Ward:
Parish: White Waltham Parish
Appeal Ref.: 19/60020/REF **Planning Ref.:** 18/03436/FULL **Plns Ref.:** APP/T0355/W/19/3223083
Date Received: 28 February 2019 **Comments Due:** 4 April 2019
Type: Refusal **Appeal Type:** Written Representation
Description: The demolition of the existing single garage and sheds, the erection of an attached bungalow on the land to the east of no.14 Willant Close and alterations the layout and elevation of No.14 Willant Close. The proposal makes provision for onsite parking and amenity space.
Location: **14 And Land At 14 Willant Close Maidenhead**
Appellant: Miss Beverley Tourle Maven Plan Ltd 303A Riverbank House 1 Putney Bridge Approach Fulham SW6 3JD

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60021/REF **Planning Ref.:** 18/01518/FULL **Plns Ref.:** APP/T0355/W/19/3222940
Date Received: 28 February 2019 **Comments Due:** 4 April 2019
Type: Refusal **Appeal Type:** Written Representation
Description: 12 x 2-bed and 3 x 1-bed flats following demolition of the existing dwelling and associated buildings.
Location: **157 Grenfell Road Maidenhead SL6 1EZ**
Appellant: Ashgrove Homes Ltd **c/o Agent:** Mr Frank Taylor The Old Farm House Epsom Road Guildford Surrey GU4 7AB

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60022/REF **Planning Ref.:** 18/01498/FULL **Plns Ref.:** APP/T0355/W/19/3223160
Date Received: 28 February 2019 **Comments Due:** 4 April 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of x 9 apartments with associated parking and landscaping following demolition of the existing dwelling
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