

# Appeal Decision Report

8 June 2020 - 6 July 2020

www.rbwm.gov.uk



<b>Appeal Ref.:</b>	20/60009/REF	<b>Planning Ref.:</b>	18/03623/CPD	<b>Plns Ref.:</b>	APP/T0355/X/19/3240732
<b>Appellant:</b>	Southeast Power Engineering c/o Agent: Mr Michael Lee Woolf Bond Planning Ltd The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT				
<b>Decision Type:</b>	Delegated	<b>Officer Recommendation:</b> Refuse			
<b>Description:</b>	Certificate of lawfulness to determine whether the proposed floating hydro powered barge not amounting to a form of development is lawful.				
<b>Location:</b>	<b>Romney Weir Thames Side Windsor</b>				
<b>Appeal Decision:</b>	Allowed	<b>Decision Date:</b> 17 June 2020			
<b>Main Issue:</b>	The Planning Inspector found that despite in terms of permanence the evidence weighing in favour of the mooring of the barges being a building, with regards to size and physical attachment, the mooring of the barges at the weir would not amount to a building or building operation. On balance thereof re the Inspector, taking all his findings into account, concluded that the proposal would not be a building or building operation. The Inspector found that the proposal also did not amount to an engineering, mining, or other form of operation.				

<b>Appeal Ref.:</b>	20/60005/ENF	<b>Enforcement Ref.:</b>	18/50356/ENF	<b>Plns Ref.:</b>	APP/T0355/C/19/3243627
<b>Appellant:</b>	Mrs Alexandra Chatzidakis c/o Agent: Mr Mark Berry JSA Architects Ltd Tavistock House Waltham Road Maidenhead SL6 3NH				
<b>Decision Type:</b>	Enforcement notice	<b>Officer Recommendation:</b>			
<b>Description:</b>	Appeal against the Enforcement notice: Without planning permission, the construction of a car port within the front garden.				
<b>Location:</b>	<b>Copperfields Waltham Road White Waltham Maidenhead SL6 3JD</b>				
<b>Appeal Decision:</b>	Dismissed	<b>Decision Date:</b> 15 June 2020			

<b>Appeal Ref.:</b>	20/60021/REF	<b>Planning Ref.:</b>	19/02742/OUT	<b>Plns Ref.:</b>	APP/T0355/W/20/3246613
<b>Appellant:</b>	Kingsmead Homes c/o Agent: Mr Neil Davis Davis Planning LTD 19 Woodlands Avenue Winnersh Wokingham RG41 3HL				
<b>Decision Type:</b>	Delegated	<b>Officer Recommendation:</b> Refuse			
<b>Description:</b>	Outline application for Access and Layout only to be considered at this stage with all other matters to be reserved for a detached two storey dwelling.				
<b>Location:</b>	<b>Land Adjacent Pine View 1 Woodside Road Winkfield Windsor</b>				
<b>Appeal Decision:</b>	Dismissed	<b>Decision Date:</b> 8 June 2020			
<b>Main Issue:</b>	The Inspector concluded that the development does not represent a form of limited infilling and the proposed dwelling would be inappropriate development in the Green Belt. The Inspector also concluded that the proposal would harm the openness of the Green Belt. The Inspector did not agree with the LPA that the development would harm the ancient woodland adjacent to the site, stating that 'there would not be a demonstrable impact on the ancient woodland'. The appeal inspector dismissed the appeal for costs stating that 'unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated'.				

**Appeal Ref.:** 20/60022/REF      **Planning Ref.:** 19/02221/FULL      **Plns Ref.:** APP/T0355/W/20/3246292

**Appellant:** Simon And Christine Reid **c/o Agent:** Mr Douglas Simon Simon Associates Holly Lodge  
Kennylands Road Sonning Common Oxfordshire RG4 9JX

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

**Description:** Detached five bedroom dwelling with attached garage, stables, driveway and hard standing  
and new vehicular access and entrance gates following the closure of the existing access.

**Location:** **Land Between Milley Nursery And Westwinds And Beaully Milley Road Waltham St  
Lawrence Reading**

**Appeal Decision:** Dismissed      **Decision Date:** 29 June 2020

**Main Issue:** The National Planning Policy Framework (the Framework) advises that substantial weight  
should be given to any harm to the Green Belt. When accessed again the Framework and the  
relevant development plan policies, the proposal is inappropriate development within the  
Green Belt and would require very special circumstances to justify the harm caused by  
inappropriateness. Harm would also be caused to the openness of the Green Belt albeit that  
there would be a small reduction. No very special circumstances have been put to the  
Inspector to justify the development. Therefore, the proposal would amount to inappropriate  
development in the Green Belt and cause harm to the openness. It would therefore be contrary  
to Policies GB1, GB2 and GB3 of the Local Plan and Section 13 of the Framework that,  
amongst other matters, share a common objective of protecting the Green Belt from  
inappropriate development.

---

# Planning Appeals Received

9 June 2020 - 6 July 2020

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:** Bray Parish  
**Appeal Ref.:** 20/60036/COND      **Planning Ref.:** 19/01783/FULL      **PIns Ref.:** APP/T0355/W/20/3248054  
**Date Received:** 10 June 2020      **Comments Due:** 15 July 2020  
**Type:** Appeal against conditions imposed      **Appeal Type:** Written Representation  
**Description:** Construction of 2no. dwellings (part retrospective).  
**Location:** **Land Opposite Lenore Cottage Rolls Lane Holyport Maidenhead SL6 2JQ**  
**Appellant:** Mrs Lucy Pickering 116 Woodlands Road Ashurst Southampton Hampshire SO40 7AL

**Ward:**  
**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 20/60037/REF      **Planning Ref.:** 19/02535/FULL      **PIns Ref.:** APP/T0355/W/20/3249168  
**Date Received:** 22 June 2020      **Comments Due:** 27 July 2020  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Construction of 4 flats with off street parking and provision for refuse, recycling and cycle storage, following demolition of the existing dwelling.  
**Location:** **Oaklea 20A Cromwell Road Ascot SL5 9DG**  
**Appellant:** Mr James Gillespie c/o Agent: Mr William Fitzgibbon Chalkline Architectural 143A Northfield Avenue London W13 9QT

**Ward:**  
**Parish:** Cox Green Parish  
**Appeal Ref.:** 20/60038/REF      **Planning Ref.:** 19/03209/FULL      **PIns Ref.:** APP/T0355/D/20/3249295  
**Date Received:** 26 June 2020      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder Appeal  
**Description:** Garage conversion, relocation of the front entrance door including new entrance canopy, two storey side extension, 4no. front rooflights and alterations to fenestration following the demolition of the existing single storey front and rear element and the detached outbuilding.  
**Location:** **Ridgeway Lodge Cannon Lane Maidenhead SL6 4QQ**  
**Appellant:** Mr Perry Musty c/o Agent: Other ET Planning Office ET Planning 200 Dukes Ride Crowthorne RG45 6DS

**Ward:**  
**Parish:** Bray Parish  
**Appeal Ref.:** 20/60039/REF      **Planning Ref.:** 19/03195/FULL      **PIns Ref.:** APP/T0355/D/20/3250191  
**Date Received:** 29 June 2020      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder Appeal  
**Description:** New carport  
**Location:** 53 Windsor Road Maidenhead SL6 2DN  
**Appellant:** Mr M Herridge c/o Agent: Mr Richard Regan 67 Green Road High Wycombe HP13 5AZ

**Ward:**  
**Parish:** Maidenhead Unparished

Appeal Ref.:	20/60040/REF	Planning Ref.:	19/03064/FULL	Plns Ref.:	APP/T0355/W/20/ 3250119
<b>Date Received:</b>	1 July 2020	<b>Comments Due:</b>	5 August 2020		
<b>Type:</b>	Refusal	<b>Appeal Type:</b>	Written Representation		
<b>Description:</b>	x1 new dwelling, following demolition of existing garage and side extension.				
<b>Location:</b>	<b>Land Rear of 2 Clarefield Drive Maidenhead SL6 5DP</b>				
<b>Appellant:</b>	Mrs H Humphreys <b>c/o Agent:</b> Mr Elton Disha Creative Design And Structure Ltd Unit 1 Henson House Newtown Road Henley-on-Thames RG9 1HG				