



Planning Appeals Received

5 December 2020 - 6 January 2021

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 Plns 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.: 20/60099/COND **Planning Ref.:** 20/01844/FULL **Plns Ref.:** APP/T0355/W/20/3263317
Date Received: 11 December 2020 **Comments Due:** 15 January 2021
Type: Appeal against conditions imposed **Appeal Type:** Written Representation
Description: Alteration to roof of existing outbuilding. (part retrospective)
Location: **Summer Place Darlings Lane Maidenhead SL6 6PB**
Appellant: Mr Willis And Mrs Harcus c/o **Agent:** Mr Michael Ruddock Pegasus Group The Columbia Centre Station Road Bracknell Berkshire RG12 1LP

Ward:
Parish: Windsor Unparished
Appeal Ref.: 20/60100/REF **Planning Ref.:** 20/00052/FULL **Plns Ref.:** APP/T0355/W/20/3263204
Date Received: 11 December 2020 **Comments Due:** 15 January 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Replacement of the existing column with a 20m street works column with 9no. antennas and additional equipment cabinets and ancillary development.
Location: **Telecommunications Mast At Legoland Roundabout Winkfield Road Windsor**
Appellant: EE (UK) LTD & H3G (UK) LTD c/o **Agent:** Mr Ben Gilpin CS Planning Ltd Flat 41 Duncan House Old Torwood Road Torquay TQ1 1PU

Ward:
Parish: Bray Parish
Appeal Ref.: 20/60101/NONDET **Planning Ref.:** 20/01339/FULL **Plns Ref.:** APP/T0355/W/20/3261721
Date Received: 14 December 2020 **Comments Due:** 18 January 2021
Type: Non-determination **Appeal Type:** Written Representation
Description: Replacement dwelling with detached garage, vehicular entrance gates and new access.
Location: **Island Reach River Gardens Bray Maidenhead SL6 2BJ**
Appellant: Mr A Remedios c/o **Agent:** Mr Jake Collinge JCPC LTD 5 Buttermarket Thame OX9 3EW

Ward:
Parish: Cookham Parish
Appeal Ref.: 20/60042/REF **Planning Ref.:** 19/02442/OUT **Plns Ref.:** APP/T0355/W/20/3251269
Date Received: 15 December 2020 **Comments Due:** 19 January 2021
Type: Refusal **Appeal Type:** Hearing
Description: Outline application for access and layout only to be considered at this stage with all other matters to be reserved for a proposed new equine centre with worker accommodation
Location: **Land At Lower Mount Farm And To West of Unit 2B And South of Long Lane Cookham Maidenhead**

Appellant: Mr Geoffrey Copas **c/o Agent:** Mr Tom McArdle Pike Smith & Kemp Rural The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 20/60102/REF **Planning Ref.:** 19/03611/FULL **Plns Ref.:** APP/T0355/W/20/3261789
Date Received: 15 December 2020 **Comments Due:** 19 January 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 12 No. Flats, parking, landscaping, new vehicular and pedestrian access off Maple Close and creation of parking off Altwood Road.
Location: **The Crown 108 Wootton Way And Land And Buildings At The Crown Wootton Way Maidenhead**

Appellant: Mr Zahid Sadiq **c/o Agent:** Mr James Luntz ClearView Planning Ltd 15 Coulthard Close Towcester NN12 7BA

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 20/60103/REF **Planning Ref.:** 20/00559/FULL **Plns Ref.:** APP/T0355/W/20/3261534
Date Received: 15 December 2020 **Comments Due:** 19 January 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Erection of six dwellings with access, parking and amenity space.
Location: **31 - 33 Belmont Road Maidenhead**
Appellant: Mr Leon Tusz **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame OX9 3EW

Ward:
Parish: Wraysbury Parish
Appeal Ref.: 20/60104/COND **Planning Ref.:** 16/02366/FULL **Plns Ref.:** APP/T0355/W/20/3248271
Date Received: 31 December 2020 **Comments Due:** 4 February 2021
Type: Appeal against conditions imposed **Appeal Type:** Hearing
Description: Detached building for the maintenance of plant and machinery associated with the storage before and after processing and processing of waste materials which is the subject of a Certificate of Lawful Use dated 9 September 1998 (retrospective)
Location: **Fowles Crushed Concrete Hythe End Farm Hythe End Road Wraysbury Staines TW19 5AW**
Appellant: Mr Tim Fowles **c/o Agent:** Mr Michael Krantz Gunnercooke LLP 1 Cornhill London EC3V 3ND

Appeal Decision Report

5 December 2020 - 6 January 2021

Appeal Ref.: 20/60028/REF **Planning Ref.:** 19/02460/FULL **Plns Ref.:** APP/T0355/D/20/3246173

Appellant: Mrs Shabana Ahmed **c/o Agent:** Mr Lloyd Jones LRJ Planning Ltd Pen-Y-Rhiw Redbrook Road Newport NP20 5AB

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

Description: Replacement carport - retrospective.

Location: **26 Welley Road Wraysbury Staines TW19 5DJ**

Appeal Decision: Dismissed **Decision Date:** 8 December 2020

Main Issue: The development is located within flood zone 2 and 3 and the Inspector concluded that insufficient information had been provided in order to fully assess the proposal against the relevant local and national policies with regard to flooding and drainage.

Appeal Ref.: 20/60030/REF **Planning Ref.:** 19/01144/FULL **Plns Ref.:** APP/T0355/W/20/3248423

Appellant: Windsor Clinical And Home Care Services Group Ltd **c/o Agent:** Mr Douglas Bond Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

Decision Type: Committee **Officer Recommendation:** Application Permitted

Description: Change of use from C1 (Hotel) to C2 (Residential Care Home), together with associated parking, landscaping, provision of amenity space and a rear porch extension (part retrospective).

Location: **Riders Country House Hotel Bath Road Littlewick Green Maidenhead SL6 3QR**

Appeal Decision: Allowed **Decision Date:** 22 December 2020

Main Issue: On balance, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework. Having considered all other matters raised, including the extent of local opposition, the Inspector concluded that the appeal should be allowed.

Appeal Ref.: 20/60032/REF **Planning Ref.:** 17/04026/OUT **Plns Ref.:** APP/T0355/W/20/3249119

Appellant: Claires Court Schools Ltd **c/o Agent:** Mr Andrew Black Andrew Black Consulting 17 Egerton Road New Malden KT3 4AP

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

Description: Outline planning permission for the development of 2 new artificial grass hockey pitches, two artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial grass rugby pitch together with associated other recreation grass pitches

Location: **Ridgeway The Thicket Cannon Lane Maidenhead SL6 3QE**

Appeal Decision: Dismissed **Decision Date:** 21 December 2020

Main Issue: The proposal would be inappropriate development in the Green Belt and would result in a significant loss of openness and would conflict with 3 purposes of the Green Belt namely checking unrestricted sprawl, preventing neighbouring towns from merging and assisting in safeguarding the countryside from encroachment. The proposal would also result in significant harm to the character and appearance of the area including the landscape character, setting of Maidenhead Thicket and setting of the urban settlement of Maidenhead. Despite moderate given to the provision of sports facilities for the school, the provision of facilities to Maidenhead Hockey Club, to economic and employment opportunities and biodiversity enhancements and limited weight to training, Very Special Circumstances does not exist that would clearly outweigh the harms identified above.

Appeal Ref.: 20/60033/REF **Planning Ref.:** 17/04018/FULL **Plns Ref.:** APP/T0355/W/20/3249117

Appellant: Claires Court School Ltd **c/o Agent:** Mr Andrew Black Andrew Black Consulting 17 Egerton Road New Malden KT3 4AP

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

Description: Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area

Location: **Clares Court Senior Girls And Boys And Ridgeway Schools The Thicket Cannon Lane Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 21 December 2020

Main Issue: The proposal would be inappropriate development in the Green Belt and would result in a significant loss of openness and would conflict with 3 purposes of the Green Belt namely checking unrestricted sprawl, preventing neighbouring towns from merging and assisting in safeguarding the countryside from encroachment. The proposal would also result in significant harm to the character and appearance of the area including the landscape character, setting of Maidenhead Thicket and setting of the urban settlement of Maidenhead. The loss of open space could be re-provided at an adjacent site (provided that the linked appeal is allowed). Despite great weight given to the need to alter the school, significant weight to economic and employment opportunities, moderate weight to additional nursery provision and biodiversity enhancements, and limited weight to teacher training and holiday care, Very Special Circumstances does not exist that would clearly outweigh the harms identified above.

Appeal Ref.: 20/60055/REF **Planning Ref.:** 19/02287/VAR **Plns Ref.:** APP/T0355/W/20/3251767

Appellant: Sytner BMW **c/o Agent:** Mr Tim Farley Copesticks 39 Tudor Hill Sutton Coldfield West Midlands Birmingham B73 6BE

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

Description: Variation (under Section 73A) of planning permission 06/02492/FULL to vary the wording of Condition 14 (opening hours) to read "Details of the proposed acoustic fencing in accordance with figure 7.1 of the Noise Assessment by SLR Consulting dated August 2019 shall be submitted to and approved in writing by the Local Planning Authority and the agreed works shall be implemented before any commercial operations are undertaken at the site between 13:00hrs and 17:00hrs on Saturdays or 10:00hrs and 16:00hrs on Sundays".

Location: **Sytner BMW Lyndhurst Road Ascot SL5 9ED**

Appeal Decision: Dismissed **Decision Date:** 8 December 2020

Main Issue: The proposal seeks to extend the operating hours from 13:00 to 17:00hrs on Saturday and allow Sunday working between 10:00 to 16:00. A noise assessment has been undertaken by the appellant which shows noise levels from the site are 15dB above the background levels at the Lyndhurst Road boundary and 10dB above that for Bouldish Farm Road. The Inspector concluded that from the Lyndhurst Road boundary, the emanating noise above background levels, even with the proposed fence, would be a discernible nuisance on a Saturday afternoon and Sunday for the Lyndhurst Road residents. The increased hours of working would impair the basic living conditions of these residents when they are most likely to be at home and in need of quiet time. Whilst the proposed acoustic fence will help reduce noise at all times and not just for the additional times sought in the appeal proposal the benefit during the week, would be not overly significant as more residents would be at work and the critical time for quiet relaxation at home is Saturday afternoon and Sunday. Paragraph 127 of the National Planning Policy Framework requires development to function well and the proposal would therefore conflict in terms of living conditions. The increased working time would help the success of the business and promote prospects for employment as well as providing an improved service to the community by offering more capacity and more extensive times for works. However, this would not outweigh the noise impact on the residents of Lyndhurst Road.

Appeal Ref.: 20/60056/REF **Planning Ref.:** 19/01768/FULL **Plns Ref.:** APP/T0355/W/20/3247764

Appellant: Mr And Mrs Siu Cheang Law **c/o Agent:** Mr Ken Dijksman Dijksman Planning 35 Berkeley Road Newbury Berkshire RG14 5JE

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

Description: Replacement dwelling, including the removal of x3 trees (T10, T16 and T17).

Location: **Charters Pond Charters Road Sunningdale Ascot SL5 9QB**

Appeal Decision: Dismissed **Decision Date:** 10 December 2020

Main Issue: The proposal would constitute inappropriate development within the Green Belt and would harm openness. As such, the Framework requires that the harm by reason of inappropriateness be given substantial weight and that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations. In addition to this harm there would be harm in respect of the character and appearance of the area and to trees.

Appeal Ref.: 20/60074/REF **Planning Ref.:** 20/00391/FULL **Plns Ref.:** APP/T0355/W/20/3254219

Appellant: Mr Danny Clark **c/o Agent:** Mr J Bishop 1 Broad Hinton Twyford Reading RG10 0LQ

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

Description: Construction of 1no. four bedroom dwelling with cycle storage, new boundary treatment and associated parking.

Location: **Land At 16 Southwood Gardens Cookham Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 9 December 2020

Main Issue: It has been concluded by the Inspector that adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal would not represent sustainable development. It would also not accord with the requirements of Saved Policies DG1, H10 and H11 of the Local Plan which require, amongst other matters that proposals do not adversely affect the character and appearance of an area.

Appeal Ref.: 20/60077/REF **Planning Ref.:** 18/03725/FULL **Plns Ref.:** APP/T0355/W/20/3251178

Appellant: The Chairman Martin Bicknell **c/o Agent:** Mr Jeff Emmett JCE Planning And Architectural Consultancy Chetwood House Chilton Business Centre Chilton Aylesbury HP18 9LS

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

Description: Relocation of Maidenhead Target Shooting Club from Braywick Park including creation of car park, erection of clubhouse and toilets, shooting stands, bunds, fencing, landscaping and planting with access off Green Lane.

Location: **Land West of Oak Tree Farm Gays Lane Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 11 December 2020

Main Issue: The proposed use of the site would be for outdoor sport and the proposed buildings/structures would be appropriate facilities in connection with the use. There is currently no development on the site and the cumulative volume of all the buildings and earthworks would have a substantial spatial impact on the openness of the Green Belt and result in harm to the visual openness of the Green Belt. Furthermore, the development would encroach into open countryside. The proposal would not preserve the openness of the Green Belt and would conflict with one of the purposes of including land within it. The harm to the openness of the Green Belt would be demonstrable. The relocation of the club from Braywick Park, also in the Green Belt, does not result in an increase in openness to set against the harm caused at the appeal site. The proposal would constitute inappropriate development that should not be approved except in very special circumstances. The Inspector has given significant weight to the sporting and community benefits of the development, the difficulties encountered in finding a suitable alternative site, and the lack of accessible alternative facilities. However, they do not outweigh the demonstrable harm that would be caused to the openness of the Green Belt and the substantial weight that this harm attracts. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would be contrary to the aim of the Framework to protect Green Belt land and would conflict with Policies GB1 and GB2 of the Local Plan, where consistent with the Framework. Cost Decision: Award of costs refused. The Council did not misapply national policy in concluding there would be harm to openness as a result of the development. The Council's consideration of the issue of the like for like replacement was not unreasonable and it was not unreasonable for the Council to give limited weight to the applicant's financial circumstances when considering the availability of alternative sites in view of the lack of detailed information. The Council's approach to considering representations was reasonable. There was no unreasonableness in the way the Council balanced the benefits and harm of the proposal. The Inspector found the Council's reason for refusal to be well-founded and supported by the evidence. Unreasonable behaviour, resulting in unnecessary or wasted expense, as described in the PPG has not been demonstrated.

Appeal Ref.: 20/60078/REF **Planning Ref.:** 20/00887/FULL **Plns Ref.:** APP/T0355/D/20/3257534

Appellant: Mr Sawyer **c/o Agent:** Mr Duncan Gibson Duncan Gibson Consultancy 74 Parsonage Lane Windsor Berkshire SL4 5EN

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

Description: First floor front extension with undercroft, two storey rear extension and alterations to fenestration, following demolition of the existing entrance canopy.

Location: **44 Rushington Avenue Maidenhead SL6 1BZ**

Appeal Decision: Allowed **Decision Date:** 16 December 2020

Main Issue: The proposal would respect and enhance the character of the host dwelling and surrounding area, in accordance with policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted 2003) and the design guidance of the Framework. These policies seek, amongst other things, design which is in keeping with the character of the area.

Appeal Ref.: 20/60079/REF **Planning Ref.:** 20/00629/FULL **Plns Ref.:** APP/T0355/D/20/3257490

Appellant: Mr Zulficar Thahir **c/o Agent:** Mr Paul Chaston GC Planning Partnership Ltd Bedford I-Lab Stannard Way Priory Business Park Bedford Bedfordshire MK44 3RZ

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

Description: Single storey front /side extension with new pitched roof to front elevation, garage conversion into habitable accommodation and boundary fence.

Location: **1 Ballard Green Windsor SL4 5PR**

Appeal Decision: Dismissed **Decision Date:** 9 December 2020

Main Issue: The proposal fails to respect the character of the local area by reducing the amount of green space which is a feature of the area's character on a prominent corner location and is in conflict with Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan.

Appeal Ref.: 20/60080/REF **Planning Ref.:** 20/00818/FULL **Plns Ref.:** APP/TO355/D/20/3259335

Appellant: Mr Mohammed Shafiq Khan **c/o Agent:** Mr Ehsan UI-Haq ArchiGrace Ltd 50 Two Mile Drive Slough SL1 5UH

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

Description: Part two storey part single storey rear extension (Retrospective).

Location: **45 Summerleaze Road Maidenhead SL6 8EW**

Appeal Decision: Dismissed **Decision Date:** 7 December 2020

Main Issue: The inspector considered that overall, the development would harm the living conditions of neighbouring occupiers at No. 43 Summerleaze Road, in relation to daylight and outlook.

Appeal Ref.: 20/60085/REF **Planning Ref.:** 20/01955/FULL **Plns Ref.:** APP/T0355/D/20/3261309

Appellant: S Krishnamurthy **c/o Agent:** Mr Stephen Varney Stephen Varney Associates Siena Court
The Broadway Maidenhead SL6 1NJ

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

Description: Part single, part two storey front extension.

Location: **4 Winchester Drive Maidenhead SL6 3AH**

Appeal Decision: Dismissed **Decision Date:** 9 December 2020

Main Issue: The Inspector concluded that the development by virtue of the front extension's visual prominence and intrusive outlook within the street scene would unbalance the front of the dwelling. As a consequence of this the development would harm the character and appearance of the locality. Therefore, the development would conflict with Local Plan policies DG1 and H14.

Appeal Ref.: 20/60090/REF **Planning Ref.:** 20/01219/FULL **Plns Ref.:** APP/T0355/D/20/3258731

Appellant: Ms F Caviezel **c/o Agent:** Miss Nikki O'Hagan Planning Direct The Furnace The Maltings
Princes Street Ipswich IP1 1SB

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

Description: Siting of a mobile home to be used as ancillary residential accommodation (retrospective).

Location: **8 Wraysbury Road Staines TW19 6HE**

Appeal Decision: Dismissed **Decision Date:** 16 December 2020

Main Issue: The Inspector finds that the appeal proposal as described is not development within the meaning of Section 55 of the Town and Country Planning Act 1990. It is not possible to amend the description without changing the nature of the appeal thereby prejudicing the interests of the parties
