Planning Appeals Received

5 February 2021 - 5 March 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 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.: 21/60012/REF **Planning Ref.:** 20/01664/CPD **PIns Ref.:** APP/T0355/X/20/3266051
Date Received: 9 February 2021 **Comments Due:** 23 March 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Certificate of lawfulness to determine whether the proposed detached outbuilding comprising of a double garage, swimming pool, gymnasium, plant room and office area to be used ancillary to the main dwelling is lawful.
Location: **12 Walker Road Maidenhead SL6 2QT**
Appellant: Mr Shaminder Sansoy 12 Walker Road Maidenhead SL6 2QT

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 21/60014/COND **Planning Ref.:** 20/00484/TPO **PIns Ref.:** APP/TPO/T0355/8253
Date Received: 9 February 2021 **Comments Due:** Not Applicable
Type: Appeal against conditions imposed **Appeal Type:** Fast Track Appeal
Description: (T2) - Horse Chestnut Reduce upper section of decayed subsidiary stems overhanging the public alleyway back to solid wood. This equates to the removal of 3 to 4m of branch material. (T3) - Horse Chestnut - Crown reduce by 2m back to established reduction points within the upper canopy of the tree, leaving a final height of 16.5m and width of 6.5m.(T4) - Lime - Crown reduce by 3m back to established reduction points within the upper canopy of the tree, leaving a final height of 17.5m and width of 9.5m.(T5) - Horse Chestnut - Crown reduce by 2m back to established reduction points within the upper canopy of the tree, leaving a final height of 16m and width of 6.5m.
Location: **2 The Bryher Maidenhead SL6 4GZ**
Appellant: Mr Robert Kelly 2 The Bryher Maidenhead SL6 4GZ

Ward:
Parish: Datchet Parish
Appeal Ref.: 21/60013/ENF **Enforcement Ref.:** 16/50301/ENF **PIns Ref.:** APP/T0355/C/21/3267890
Date Received: 10 February 2021 **Comments Due:** 24 March 2021
Type: Enforcement Appeal **Appeal Type:** Public Inquiry
Description: Appeal against the Enforcement Notice: (1) Change of use of the land to extend carpark area. (2) Use of public address system in breach of planning condition and (3) Use of clubhouse beyond 22:00hrs. Alleged change of use of the site.
Location: **Liquid Leisure Waterski And Wakeboard Ltd Horton Road Datchet Slough SL3 9HY**
Appellant: Liquid Leisure Limited, **c/o Agent:** Miss Amy Cater Tozers LLP North Door Broadwalk House Southernhay West Exeter EX1 1UA

Ward:
Parish: Windsor Unparished

Appeal Ref.: 21/60015/REF **Planning Ref.:** 19/01513/FULL **Plns Ref.:** APP/T0355/W/20/3253114
Date Received: 10 February 2021 **Comments Due:** 17 March 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 50 bedroom hotel.
Location: **S G Autopoint 437 - 441 St Leonards Road Windsor SL4 3DT**
Appellant: Dr C Marsden-Huggins **c/o Agent:** Mr Andrew Ransome ADP Ltd Hophouse West Bergholt Colchester CO6 3TJ

Ward:
Parish: Bray Parish
Appeal Ref.: 21/60016/REF **Planning Ref.:** 20/00932/FULL **Plns Ref.:** APP/T0355/W/20/3265485
Date Received: 18 February 2021 **Comments Due:** 25 March 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of a new crossover and access with a vehicular entrance gate.
Location: **Oakley Green Nurseries Oakley Green Road Oakley Green Windsor SL4 4PZ**
Appellant: N Dearman **c/o Agent:** Mr Krzys Lipinski 39 Roundwood Road High Wycombe Buckinghamshire HP12 4HD

Ward:
Parish: Cookham Parish
Appeal Ref.: 21/60017/REF **Planning Ref.:** 20/01992/FULL **Plns Ref.:** APP/T0355/D/21/3266900
Date Received: 18 February 2021 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Two storey front/side extension, relocation of front door, altered front drive to allow for a new drop curb for two repositioned parking bays and alteration to fenestration.
Location: **11 Windmill Road Cookham Maidenhead SL6 9NE**
Appellant: D Ovens **c/o Agent:** Mr Scott Wood SDW Design 63 Hillary Road High Wycombe HP13 7RB

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 21/60018/REF **Planning Ref.:** 20/02316/FULL **Plns Ref.:** APP/T0355/D/21/3267132
Date Received: 18 February 2021 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Part single part two storey side extension, replacement roof including x1 rear dormer and alterations to fenestration following demolition of the existing single storey side element - part retrospective.
Location: **40 Queensway Maidenhead SL6 7SD**
Appellant: Mr S Afzal **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead Berkshire SL6 5EY

Ward:
Parish: Old Windsor Parish
Appeal Ref.: 21/60019/REF **Planning Ref.:** 20/02436/TLDTT **Plns Ref.:** APP/T0355/W/20/3265640
Date Received: 25 February 2021 **Comments Due:** 1 April 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Proposed 15.0m AGL Phase 8 monopole c/w wraround cabinet at base and associated ancillary works.
Location: **Telecommunications Mast In Front of Toby Carvery 14 Straight Road Old Windsor Windsor**
Appellant: MBNL **c/o Agent:** Mr Damian Hosker WHP Ponderosa Scotland Lane Horsforth Leeds LS18 5SF

Ward:
Parish: Windsor Unparished
Appeal Ref.: 21/60020/REF **Planning Ref.:** 20/02730/TLDTT **Plns Ref.:** APP/T0355/W/20/3265270
Date Received: 25 February 2021 **Comments Due:** 1 April 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Application for determination as to whether prior approval is required for 1no. 20m Phase 8 streetpole C/W wraparound cabinet on concrete base, 3no. cabinets, 3no. antennas and associated ancillary works.
Location: **Telecommunications Mast At Junction of Vale Road And Shirley Avenue Windsor**

Appellant: MBNL **c/o Agent:** Mr Damian Hosker WHP Ponderosa Scotland Lane Horsforth Leeds LS18 5SF

Ward:
Parish: Bisham Parish
Appeal Ref.: 21/60021/REF **Planning Ref.:** 20/00064/FULL **Plns Ref.:** APP/T0355/W/20/3259258
Date Received: 26 February 2021 **Comments Due:** 2 April 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Replacement dwelling.
Location: **Little Croft Bisham Road Bisham Marlow SL7 1RL**
Appellant: Ms Ruth Taylor **c/o Agent:** Mr Matthew Green Green Planning Studio Ltd Unit D Lunesdale Shrewsbury Upton Magna SY4 4TT

Ward:
Parish: Cookham Parish
Appeal Ref.: 21/60022/REF **Planning Ref.:** 20/01789/VAR **Plns Ref.:** APP/T0355/D/20/3261502
Date Received: 26 February 2021 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Variation (under Section 73A) of condition 3 (Rem PD) as approved under planning permission 16/02326/FULL for part single part two storey front extension.
Location: **The Farm Bigfrith Church Road Cookham Dean Maidenhead SL6 9PR**
Appellant: Mr And Mrs Zinc **c/o Agent:** Mr Anthony Keen Barham Court Teston Maidstone Kent ME18 5BZ

Ward:
Parish: Bray Parish
Appeal Ref.: 21/60023/REF **Planning Ref.:** 20/02068/FULL **Plns Ref.:** APP/T0355/W/20/3265135
Date Received: 1 March 2021 **Comments Due:** 5 April 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of an all weather surface manege.
Location: **Patterdale Farm Blackbird Lane Maidenhead SL6 3SX**
Appellant: Mrs Lisa Bolt **c/o Agent:** Miss Eva Gascoigne Pike Smith And Kemp Rural The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 21/60024/REF **Planning Ref.:** 20/01923/FULL **Plns Ref.:** APP/T0355/W/21/3267234
Date Received: 2 March 2021 **Comments Due:** 6 April 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of x1 dwelling.
Location: **Land Adjacent To 38 Pinkneys Road Maidenhead**
Appellant: Pinkneys Stores **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead Berkshire SL6 5EY

Ward:
Parish: Windsor Unparished
Appeal Ref.: 21/60025/REF **Planning Ref.:** 20/00935/FULL **Plns Ref.:** APP/T0355/W/20/3265984
Date Received: 2 March 2021 **Comments Due:** 6 April 2021
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of x10 flats with associated landscaping, parking and bin store and alterations to the existing access, following demolition of the existing building.
Location: **Essex Lodge 69 Osborne Road And Annexe Essex Lodge 69 Osborne Road Windsor**
Appellant: Sorbon Estates Ltd **c/o Agent:** Mr Kevin Scott Solve Planning Ltd Sentinel House Ancells Business Park Harvest Crescent Fleet GU51 2UZ

Ward:					
Parish:	Maidenhead Unparished				
Appeal Ref.:	21/60026/REF	**Planning Ref.:**	20/02794/FULL	**Plns Ref.:**	APP/T0355/W/21/3266843
Date Received:	2 March 2021		**Comments Due:**	6 April 2021	
Type:	Refusal		**Appeal Type:**	Written Representation	
Description:	Two storey side extension, two storey rear extension and alterations to fenestration to convert the existing shop into 2no. two bedroom flats, following demolition of the existing side conservatory and rear enclosed and covered store.				
Location:	**K & L Heating 58 College Glen Maidenhead SL6 6BL**				
Appellant:	Nationwide Land Ltd **c/o Agent:** Mr Allen Watson Buttery And Watson Berry House 78 Altwood Road Maidenhead Berkshire SL6 4PZ				

Appeal Decision Report

5 February 2021 - 5 March 2021

Appeal Ref.: 20/60081/REF **Planning Ref.:** 19/01900/FULL **Plns Ref.:** APP/T0355/W/20/3258778

Appellant: Sir Christopher Wren Hotel And Spa **c/o Agent:** Mr Thomas Copp CGMS 20 Farringdon Street London EC4A 4AB

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

Description: Part three storey/part two storey rear extension with front and rear dormers and balconies to facilitate accommodation in the roofspace, glass canopy over existing terrace with replacement fire escape, replacement entrance doors to the car park, 2no. air conditioning units and new signage following part demolition of the existing building.

Location: **Sir Christopher Wren Hotel And Spa Thames Street Windsor SL4 1PX**

Appeal Decision: Dismissed **Decision Date:** 9 February 2021

Main Issue: The appeal proposal would fail to preserve the special architectural and historic interest of the Grade II* listed Old House Hotel, and the significance of the Grade I listed Windsor Castle, as derived from its setting. Furthermore, the appeal scheme would fail to preserve or enhance the character and appearance of the Windsor Town Centre Conservation Area. The proposed development and works would therefore conflict with Saved Policies DG1, CA2 and LB2 of the Royal Borough of Windsor and Maidenhead Local Plan, emerging Policies SP2 and SP3 of the Borough Local Plan Submission Document and section 16 of the Framework. These policies notably seek to ensure that development proposals enhance or preserve heritage assets, and that important views of Windsor Castle are recognised and retained.

Appeal Ref.: 20/60082/REF **Planning Ref.:** 19/01901/LBC **Plns Ref.:** APP/T0355/Y/20/3258782

Appellant: Sir Christopher Wren Hotel And Spa **c/o Agent:** Mr Thomas Copp CGMS 20 Farringdon Street London EC4A 4AB

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

Description: Consent for part three storey/part two storey rear extension with front and rear dormers and balconies to facilitate accommodation in the roofspace, glass canopy over existing terrace with replacement fire escape, replacement entrance doors to the car park, 2no. air conditioning units, new signage and internal alterations following part demolition of the existing building.

Location: **Sir Christopher Wren Hotel And Spa Thames Street Windsor SL4 1PX**

Appeal Decision: Dismissed **Decision Date:** 9 February 2021

Main Issue: The appeal proposal would fail to preserve the special architectural and historic interest of the Grade II* listed Old House Hotel, and the significance of the Grade I listed Windsor Castle, as derived from its setting. Furthermore, the appeal scheme would fail to preserve or enhance the character and appearance of the Windsor Town Centre Conservation Area. The proposed development and works would therefore conflict with Saved Policies DG1, CA2 and LB2 of the Royal Borough of Windsor and Maidenhead Local Plan, emerging Policies SP2 and SP3 of the Borough Local Plan Submission Document and section 16 of the Framework. These policies notably seek to ensure that development proposals enhance or preserve heritage assets, and that important views of Windsor Castle are recognised and retained.

Appeal Ref.:	20/60093/REF	**Planning Ref.:**	20/01756/FULL	**Plns Ref.:**	APP/T0355/D/20/3261260
Appellant:	Mr And Mrs Walker-Beagle **c/o Agent:** Mr Stephen Varney Stephen Varney Associates Siena Court The Broadway Maidenhead SL6 1NJ				
Decision Type:	Delegated		**Officer Recommendation:**	Refuse	
Description:	Front porch extension, canopy and rendering.				
Location:	**67 Lower Cookham Road Maidenhead SL6 8JY**				
Appeal Decision:	Dismissed		**Decision Date:**	1 March 2021	
Main Issue:	The proposal would have an unacceptable and harmful effect with respect to flood risk, not decreasing the risk and not making it sufficiently clear that the risk would be at an acceptable level in regard to the requirements of the development plan. The proposal would conflict with Policy F1 of the Local Plan, which provides that within areas liable to flood, the size of extensions will be controlled to reduce the risk of flooding.				

Appeal Ref.:	20/60094/REF	**Planning Ref.:**	20/01648/FULL	**Plns Ref.:**	APP/T0355/D/20/3261273
Appellant:	Mr Liam Derothschild **c/o Agent:** Other ET Planning Office ET Planning 200 Dukes Ride CROWTHORNE RG45 6DS				
Decision Type:	Delegated		**Officer Recommendation:**	Refuse	
Description:	Single storey side/rear wraparound extension, following demolition of the existing lean-to extension.				
Location:	**44 Belmont Crescent Maidenhead SL6 6LW**				
Appeal Decision:	Dismissed		**Decision Date:**	24 February 2021	
Main Issue:	The Inspector found that the bulk and massing of the proposed extension would unduly reduce the light to the kitchen and dining room of no. 46 and would appear overdominant and overbearing with respect to outlook from them. Also it would create a tunnelling effect. The inspector concluded that the extension would have an unacceptable and harmful effect on the living conditions of the occupants of no.46.				

Appeal Ref.:	20/60096/REF	**Planning Ref.:**	20/01918/FULL	**Plns Ref.:**	APP/T0355/W/20/3263006
Appellant:	Mr / Mr Simon / Kier Tong / Dungo **c/o Agent:** Mrs Sophie Matthews Walsingham Planning Bourne House Cores End Road Bourne End Buckinghamshire SL8 5AR				
Decision Type:	Delegated		**Officer Recommendation:**	Refuse	
Description:	Two storey rear extension with first floor balcony to the existing dwelling and x1 new dwelling with new vehicular access.				
Location:	**The Gables 49 Whyteladyes Lane And Land Adjacent To The Gables 49 Whyteladyes Lane Cookham Maidenhead**				
Appeal Decision:	Dismissed		**Decision Date:**	26 February 2021	
Main Issue:	Having considered the benefits and adverse impacts of the scheme the Inspector concluded that the harm and associated policy conflicts that the Inspector has identified, would significantly and demonstrably outweigh the proposal's benefits when assessed against the Framework's policies taken as a whole. The presumption in favour of sustainable development, as set out in the Framework, does not therefore apply. The proposal conflicts with the development plan when read as a whole, and material considerations lead to a decision to dismiss the appeal.				

Appeal Ref.:	20/60097/REF	**Planning Ref.:**	20/01686/FULL	**Plns Ref.:**	APP/T0355/D/20/3262298

Appellant: Mr Hussein **c/o Agent:** Mr Mark Schmull Arrow Planning Limited 28 Wingate Avenue High Wycombe HP13 7QP

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

Description: Infill roof extension over the existing flat roof terrace.

Location: **Burfield Grange 34 Burfield Road Old Windsor Windsor SL4 2LG**

Appeal Decision: Dismissed **Decision Date:** 1 March 2021

Main Issue: The main issues are: 1) Whether the proposal would be inappropriate development in the Green Belt; 2) the effect of the proposal on the openness of the Green Belt; and 3) if the proposal would be inappropriate development, whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it. The proposal would be inappropriate development in the Green Belt and would result in a reduction of its openness. These harms carry substantial weight as explained. Taken together and for the reasons given, it is found that the other considerations in this case are not sufficient to clearly outweigh them. Consequently, the very special circumstances necessary to justify the proposal do not exist. Thus, the proposal would not comply with Policies GB1, GB2 and GB4 of the Local Plan and the provisions of section 13 of the Framework, which collectively seek to protect the Green Belt against inappropriate development and to maintain its openness.

Appeal Ref.:	20/60098/COND	**Planning Ref.:**	20/00501/FULL	**Plns Ref.:**	APP/T0355/W/20/3258417

Appellant: Mr & Mrs Fawell **c/o Agent:** Mr Mark Berry JSA Architects Tavistock House Waltham Road Maidenhead SL6 3NH

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

Description: Single storey rear extension with canopy and chimney, raised patio area, retaining wall and a canopy to the side elevation.

Location: **Brackenwood Grubwood Lane Cookham Maidenhead SL6 9UD**

Appeal Decision: Allowed **Decision Date:** 26 February 2021

Main Issue: The disputed conditions were neither reasonable nor necessary in the interests of maintaining the Green Belt's openness. As such, even with Conditions 3 and 4 deleted, there would be satisfactory compliance with saved Policies GB1, GB2 and GB4 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted June 2003) and with the Framework in so far as these policies recognise that the essential characteristics of Green Belts are their openness and their permanence.

Appeal Ref.:	20/60099/COND	**Planning Ref.:**	20/01844/FULL	**Plns Ref.:**	APP/T0355/W/20/3263317
Appellant:	Mr Willis And Mrs Harcus **c/o Agent:** Mr Michael Ruddock Pegasus Group The Columbia Centre Station Road Bracknell Berkshire RG12 1LP				
Decision Type:	Delegated		**Officer Recommendation:**		Application Permitted
Description:	Alteration to roof of existing outbuilding. (part retrospective)				
Location:	**Summer Place Darlings Lane Maidenhead SL6 6PB**				
Appeal Decision:	Allowed		**Decision Date:**		1 March 2021
Main Issue:	The Inspector deleted the disputed Condition 2 as it is neither reasonable nor necessary in the interests of seeking to prevent the consolidation of development in the Green Belt. As such, even with Condition 2 deleted, there would be satisfactory compliance with saved Policies GB1 and GB2 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted June 2003) and with the National Planning Policy Framework (February 2019) in so far as these policies affirm that inappropriate development is, by definition, harmful to the Green Belt, and recognises that the essential characteristics of Green Belts are their openness and their permanence.				

Appeal Ref.:	20/60100/REF	**Planning Ref.:**	20/00052/FULL	**Plns Ref.:**	APP/T0355/W/20/3263204
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				
Decision Type:	Delegated		**Officer Recommendation:**		Refuse
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**				
Appeal Decision:	Dismissed		**Decision Date:**		26 February 2021
Main Issue:	The proposed street works column with antennas (the new pole) is regarded as a building for the purposes of assessment against the Framework's Green Belt provisions. The new pole would be materially larger than the existing column to be replaced. The proposal would be inappropriate development in the Green Belt and conflicts with saved policies GB1 and TEL1. The proposal would lead to a loss of Green Belt openness (visual) due to the pole's intended height, siting and clear visibility from the road. It would cause harm to the openness of the Green Belt and conflicts with saved policies GB2 and TEL1 of the Local Plan and the Framework. The new pole would appear as an imposing and urbanising addition due to its height and detached positioning from the roundabout and existing pole and would cause some limited harm to the character and appearance of the area in conflict with saved policies TEL1 and N1. The proposal would have no adverse impact on the trees or upon the nearby SSSI or SAC and accords with Policy N6 and DG1. It has not been clearly demonstrated that potential alternative positions for the new pole (closer to the existing pole, for example) have been thoroughly explored, considered and discounted with good reason. Whilst the Inspector attaches considerable weight to the economic and social benefits brought about by the improved digital communications networks, the scheme's benefits would not outweigh the substantial harm identified to the Green Belt (including harm derived from loss of openness), in addition to the limited harm identified to the character and appearance of the area, so as to amount to very special circumstances necessary to justify the proposal.				

Appeal Ref.:	21/60014/COND	**Planning Ref.:**	20/00484/TPO	**Plns Ref.:**	APP/TPO/T0355/8253
Appellant:	Mr Robert Kelly 2 The Bryher Maidenhead SL6 4GZ				
Decision Type:	Delegated		**Officer Recommendation:**		Partial Refusal/Partial Approval
Description:	(T2) - Horse Chestnut Reduce upper section of decayed subsidiary stems overhanging the public alleyway back to solid wood. This equates to the removal of 3 to 4m of branch material. (T3) - Horse Chestnut - Crown reduce by 2m back to established reduction points within the upper canopy of the tree, leaving a final height of 16.5m and width of 6.5m.(T4) - Lime - Crown reduce by 3m back to established reduction points within the upper canopy of the tree, leaving a final height of 17.5m and width of 9.5m.(T5) - Horse Chestnut - Crown reduce by 2m back to established reduction points within the upper canopy of the tree, leaving a final height of 16m and width of 6.5m.				
Location:	**2 The Bryher Maidenhead SL6 4GZ**				
Appeal Decision:	Withdrawn		**Decision Date:**	24 February 2021	