

# Appeal Decision Report

23 October 2021 - 19 November 2021

## Windsor and Ascot

**Appeal Ref.:** 21/60031/REF      **Planning Ref.:** 20/03319/CLU      **Plns Ref.:** APP/T0355/X/21/3271220

**Appellant:** Mrs Siddhu **c/o Agent:** Mr Steve Miller Planning Direct The Furnace The Maltings Princes Street Ipswich Suffolk IP1 1SB

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

**Description:** Certificate of lawfulness to determine whether the existing use of the two annexes as two separate dwellings is lawful.

**Location:** **58 Coppermill Road Wraysbury Staines TW19 5NS**

**Appeal Decision:** Part Allowed      **Decision Date:** 25 October 2021

**Main Issue:** The Inspector concluded as a matter of fact and degree that the use of Building B is a self-contained dwelling. The Inspector concluded as a matter of fact and degree that the use of Building A together with Building C is not a self-contained dwelling. As such the appeal as it relates to these buildings must fail. The Inspector concluded on the balance of probability that the use of Building B as a self-contained dwelling has continued substantially uninterrupted for a period in excess of four years and was lawful on the date the application was made. The appeal is allowed in respect of Building B 'Front Annexe' and is deemed to be lawful. The appeal fails and is dismissed in respect of Building A and Building C.

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**Appeal Ref.:** 21/60045/REF      **Planning Ref.:** 19/03287/FULL      **Plns Ref.:** APP/T0355/W/21/3267862

**Appellant:** Mr Mohammed Ariff **c/o Agent:** Other ET Planning Office ET Planning 200 Dukes Ride Crowthorne RG45 6DS

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

**Description:** Part change of use of dwelling (C3) to a place of worship (D1) with new vehicular access and associated cycle parking.

**Location:** **Ruddles Pool Maidenhead Road Windsor SL4 5TW**

**Appeal Decision:** Dismissed      **Decision Date:** 16 November 2021

**Main Issue:** The Inspector concluded that the proposal would be inappropriate development in the Green Belt and would therefore, by definition, be harmful to the Green Belt. She also found limited harm to the purposes of including land in the Green Belt. The development would also cause moderate harm to the character and appearance of the area and the intensity of the use of the property would significantly harm the living conditions of nearby residential occupiers through increased noise and disturbance. It would also significantly harm highway safety. The mosque would provide a place of worship for people of the Islamic faith. It would also provide a meeting space for the elderly and women. The protected characteristics of race, religion, age and gender are therefore engaged. Approval of the scheme would therefore advance equality of opportunity and foster good relations. This carries substantial weight in favour of the proposal. However, this and the other considerations in this case do not clearly outweigh the harm identified above. Consequently, the very special circumstances necessary to justify the development do not exist.

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