

Appeal Decision Report

8 April 2022 - 6 June 2022

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Royal Borough
of Windsor &
Maidenhead

Maidenhead

Appeal Ref.: 21/60065/REF **Planning Ref.:** 21/00567/CLAS **Plns Ref.:** APP/T0355/W/21/
SM 3276034

Appellant: Mr Neil Chadda **c/o Agent:** Mr Ben Larcombe CSJ Planning Consultants 1 Host Street
Bristol BS1 5BU

Decision Type: Delegated **Officer Recommendation:** Prior Approval
Required and
Refused

Description: Class M: Change of use from A1 (retail) to C3 (dwelling) to create 6 No. dwellings with
associated works.

Location: **Best-one 3A Altwood Road Maidenhead SL6 4PB**

Appeal Decision: Dismissed **Decision Date:** 3 May 2022

Main Issue: The Inspector considered that an assessment of design is capable of encompassing the size of the proposed dwellings and that the nationally described space standards (NDSS) do provide a useful indication of what is an acceptable space in design terms. It was found that the scheme, due to the inadequacy of its internal space, would not provide satisfactory living conditions for future occupiers. It would therefore fail to achieve a good standard of amenity for future users. This would amount to poor design, in conflict with the design principles of the Framework. It was concluded that the condition as set out in Class M.2(1)(e) in relation to matters of design or external appearance of the building had not been met and that therefore the proposal would not be development permitted by Schedule 2, Part 3 Class M of the GPDO. With regard to the costs claim, the Inspector found that design is not limited to external appearance and a consideration of the internal design of the proposal is a valid approach. In this matter, the Inspector considered that the NDSS can be used as evidence to support the planning judgment to be made. The Inspector concluded that the Council had not behaved unreasonably in refusing the prior approval on a design matter in relation to internal arrangements and that therefore the appeal could not have been avoided. The Inspector therefore found that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, had not been demonstrated and that an award of costs was therefore not justified.

Appeal Ref.: 21/60071/REF **Planning Ref.:** 21/00890/FULL **Plns Ref.:** APP/T0355/D/21/
3278520

Appellant: Mr And Mrs Simon Reid **c/o Agent:** Mr P Moody Mid-Hants Ltd New Farm Pickaxe Lane
Hook Hampshire RG29 1SD

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

Description: Detached outbuilding ancillary to main dwelling following demolition of existing element.

Location: **Durlstone Milley Road Waltham St Lawrence Reading RG10 0JR**

Appeal Decision: Allowed **Decision Date:** 16 May 2022

Main Issue:

Appeal Ref.: 21/60072/REF **Planning Ref.:** 21/01135/FULL **Plns Ref.:** APP/T0355/D/21/3281829

Appellant: Mr Mark Simmonds **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 conservatory.

Location: **13 Culham Drive Maidenhead SL6 7PW**

Appeal Decision: Dismissed **Decision Date:** 11 April 2022

Main Issue: It was considered that the evidence did not provide a suitably compelling case regarding the protection of existing rooting systems. Consequently, it was concluded that the proposal would have a harmful effect on the protected trees. It would therefore fail to comply with Saved Policies DG1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan (2003) which taken together, require amongst other things, new development to protect and retain trees, and not cause harm to the character of the surrounding area.

Appeal Ref.: 21/60080/REF **Planning Ref.:** 20/03409/FULL **Plns Ref.:** APP/T0355/W/21/3283465

Appellant: Mrs Mininder Chopra **c/o Agent:** Mr Peter Higginbottom Planning Insight Room 105 31 - 35
Kirby Street London EC1N 8TE

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

Description: Construction of 2 No. two bedroom semi-detached houses with associated parking and new pedestrian access following demolition of garages.

Location: **Garage Block To The North West of The Royal British Legion Sawyers Crescent Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 6 May 2022

Main Issue:

Appeal Ref.: 22/60003/REF **Planning Ref.:** 21/01724/CLAS
AA **Plns Ref.:** APP/T0355/D/21/3281209

Appellant: Mr And Mrs Davidson **c/o Agent:** Mr Jack Clegg Pike Smith And Kemp Rural The Old Dairy
Hyde Farm Marlow Road Maidenhead Berkshire SL6 6PQ

Decision Type: Delegated **Officer Recommendation:** Prior Approval
Required and
Refused

Description: Application for prior approval for construction of two additional storeys to property with a maximum height of 6.35m.

Location: **Queens Head Windsor Road Water Oakley Windsor SL4 5UJ**

Appeal Decision: Dismissed **Decision Date:** 20 May 2022

Main Issue:

Appeal Ref.: 22/60028/REF **Planning Ref.:** 21/01929/FULL **Plns Ref.:** APP/T0355/W/21/3287700

Appellant: Mrs Alison Jones **c/o Agent:** Mr Stuart Keen SKD Design Ltd Unit 2 Howe Lane Farm Howe Lane Maidenhead SL6 3JP

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

Description: Construction of 1no. three bedroom dwelling and new access following the demolition of the existing garage.

Location: **Tarn Hows And Land At Tarn Hows Waltham Road Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 19 May 2022

Main Issue:

Appeal Ref.: 22/60030/REF **Planning Ref.:** 21/03264/CLAS AA **Plns Ref.:** APP/T0355/D/21/3289697

Appellant: C/o CDP **c/o Agent:** Mr David Holmes G F Falconer 24D Peters Close Prestwood Great Missenden HP16 9ET

Decision Type: Delegated **Officer Recommendation:** Prior Approval Required and Refused

Description: Application for prior approval for construction of one additional storey to the property with a maximum height of 2.60m.

Location: **Jasmin House 2 The Hatch Windsor SL4 5UD**

Appeal Decision: Dismissed **Decision Date:** 26 May 2022

Main Issue:

Appeal Ref.: 22/60036/SOS **Planning Ref.:** 21/02866/FULL **Plns Ref.:** APP/T0355/V/22/3296521

Appellant: Cala Homes (Thames) Ltd And RBWM **c/o Agent:** Mr Douglas Bond Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross RG7 1AT

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

Description: Erection of 80 dwellings together with landscaping, the provision of open space and related facilities, associated engineering works and access to Ray Mill Road East.

Location: **Land To The South of 18 To 20 And Open Space To The South of Ray Mill Road East Maidenhead**

Appeal Decision: Withdrawn **Decision Date:** 6 June 2022

Main Issue:

Appeal Ref.: 22/60040/REF **Planning Ref.:** 20/02462/FULL **Plns Ref.:** APP/T0355/W/21/3289028

Appellant: Shanly Homes Limited **c/o Agent:** Mrs Rosalind Gill Solve Planning Ltd Sentinel House Harvest Crescent Fleet GU51 2UZ

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

Description: Erection of 13 dwellings with associated parking and landscaping and the retention of the existing access road following the demolition of the existing buildings, warehouse, external storage areas and hardstanding.

Location: **Bellman Hanger Shurlock Row Reading RG10 0PL**

Appeal Decision: Withdrawn **Decision Date:** 24 May 2022

Main Issue:

Planning Appeals Received

13 May 2022 - 6 June 2022

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:	Bray Parish	Planning Ref.:	21/03718/FULL	PIns Ref.:	APP/T0355/W/22/ 3298401
Appeal Ref.:	22/60045/REF				
Date Received:	25 May 2022	Comments Due:	29 June 2022		
Type:	Refusal	Appeal Type:	Hearing		
Description:	2no. semi-detached dwellings with associated landscaping, parking and vehicular access.				
Location:	Land Adjacent To The Lodge Holyport Street Holyport Maidenhead				
Appellant:	Mr Neil Burgess c/o Agent: Mrs Fiona Jones Cameron Jones Planning 3 Elizabeth Gardens Ascot SL5 9BJ				