

Appeal Decision Report

07 June 2022 to 11 July 2022

Maidenhead

Appeal Ref.: 21/60066/ENF **Enforcement Ref.:** 21/50122/ENF **Plns Ref.:** APP/T0355/C/21/3284003

Appellant: James Lee **c/o Agent:** Mrs Maria Boyce ArkleBoyce Matthew Murray House Unit 9 First 97 Water Lane Leeds LS11 5QN

Decision Type: **Officer Recommendation:**

Description: Appeal against the Enforcement Notice: Without planning permission, the erection of a marquee structure within the curtilage of a listed building, attached to outbuildings associated with the public house, with facilitating metal support poles, ground anchors and two timber structures used as entry/exit points.

Location: **The Crown High Street Bray Maidenhead SL6 2AH**

Appeal Decision: Allowed **Decision Date:** 10 June 2022

Main Issue:

Appeal Ref.: 21/60079/REF **Planning Ref.:** 21/01434/FULL **Plns Ref.:** APP/T0355/W/21/3284858

Appellant: Mr Anthony **c/o Agent:** Mr Joshua Harrison Cohanim Architecture 207 Regent Street 3rd Floor London W1B 3HH

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

Description: 1 No. new dwelling with associated amenity space, new pedestrian entrance, refuse and bicycle store and unallocated on-street parking.

Location: **Land At 11 Mallow Park Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 15 June 2022

Main Issue:

Appeal Ref.: 22/60002/REF **Planning Ref.:** 21/02124/FULL **Plns Ref.:** APP/T0355/W/21/3287328

Appellant: Mr William Fitzgibbon **c/o Agent:** Mr William Fitzgibbon Chalkline 43 Delamere Road Ealing W53JL

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

Description: x1 new dwelling, following demolition of the existing workshop.

Location: **Acorn Cutters Limited The Old Workshop Lower Boyndon Road Maidenhead SL6 4DD**

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

Main Issue:

Appeal Ref.: 22/60009/REF **Planning Ref.:** 21/01855/CLAS SO **Plns Ref.:** APP/T0355/W/21/3283130

Appellant: Millie Boffey **c/o Agent:** Miss Harriet Nind Planning And Design Group (UK) Limited Pure Offices Lake View Drive Annesley Nottingham NG15 0DT

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

Description: Change of use from offices (Class B1(a)) to dwellinghouses (Class C3) to create x18 flats.

Location: **Belmont Place Belmont Road Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 22 June 2022

Main Issue:

Appeal Ref.: 22/60015/REF **Planning Ref.:** 20/00529/FULL **Plns Ref.:** APP/T0355/W/21/3285209

Appellant: Ms Jeanette Jones **c/o Agent:** Mr Neil Davis Davis Planning Ltd 19 Woodlands Avenue Winnersh Wokingham RG41 3HL

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

Description: Use of land for private equestrian use and erection of new equestrian yard comprising of stables, storage barn, open arena, associated hardstanding and new access.

Location: **Land To The North of Clock Cottage Sturt Green Holyport Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 30 June 2022

Main Issue: I have identified that the development would be inappropriate development in the Green Belt as defined by the Framework as it would not preserve the openness of the Green Belt as required by the Framework. The proposal would conflict with Policy QP5 of the Local Plan. Therefore, the proposed development would by definition, be harmful to the Green Belt, harm which the Framework indicates should be given substantial weight. The benefits of the other considerations, which at best hold moderate weight, do not outweigh the harm that I have identified. Having regard to all matters raised, I conclude that there are no considerations sufficient to clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed development conflicts with the development plan and the advice in the Framework. For the reasons given, I conclude that the appeal should fail.

Appeal Ref.: 22/60017/REF **Planning Ref.:** 21/02974/FULL **Plns Ref.:** APP/T0355/D/22/3291565

Appellant: Mr And Mrs Peter And Pauline Janikoun **c/o Agent:** Mrs Jane Carter Carter Planning Ltd 85 Alma Road Windsor SL4 3EX

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

Description: First floor front extension and alterations to fenestration.

Location: **91 Aysgarth Park Maidenhead SL6 2HQ**

Appeal Decision: Dismissed **Decision Date:** 21 June 2022

Main Issue:

Appeal Ref.: 22/60021/REF **Planning Ref.:** 21/03109/FULL **Plns Ref.:** APP/T0355/D/22/3292598

Appellant: Mr Muhammad Azam **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

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

Description: Two storey side extension and part single/part two storey rear extension following demolition of existing element.

Location: **5 Harrow Lane Maidenhead SL6 7PD**

Appeal Decision: Dismissed **Decision Date:** 21 June 2022

Main Issue:

Appeal Ref.: 22/60027/NOND ET **Planning Ref.:** 21/02543/OUT **Plns Ref.:** APP/T0355/W/21/3287327

Appellant: Mr Craig Harrod **c/o Agent:** Miss Eva Gascoigne Pike Smith & Kemp Rural Hyde Farm Marlow Road Maidenhead SL6 6PQ

Decision Type: Delegated **Officer Recommendation:** Would Have Refused

Description: Outline application for scale only to be considered at this stage with all other matters to be reserved for the construction of an M4 noise abatement and landscaped screening bund with post rail fence.

Location: **Land At Binfield Paddocks Twyford Road Binfield Bracknell**

Appeal Decision: Dismissed **Decision Date:** 13 June 2022

Main Issue:

Appeal Ref.: 22/60031/REF **Planning Ref.:** 21/00427/FULL **Plns Ref.:** APP/T0355/W/21/3288055

Appellant: Mr David Lee **c/o Agent:** Mr John Hunt Pike Smith And Kemp Rural And Commercial Ltd
The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

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

Description: Extension of the existing fishery/fish breeding pond and relocation of existing fencing.

Location: **Waltham Farm Shurlock Road Waltham St Lawrence Reading**

Appeal Decision: Dismissed **Decision Date:** 7 July 2022

Main Issue: Overall, there is insufficient evidence to determine that the proposal would not harm the openness of the Green Belt, or that it would comprise not inappropriate development under Paragraph 150(b) of the Framework. Paragraph 147 of the Framework makes clear that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework goes on to establish that substantial weight is given to any harm to the Green Belt. Overall, there is insufficient evidence that the proposal would have an acceptable effect on flood risk. Consequently, it would conflict with Policy NR1 of the Borough Local Plan 2022, which among other things seeks to manage flood risk so that it is acceptable and consistent with the provisions set out within Paragraphs 159 to 169 of the Framework. Flooding can have serious implications for those subjected to it. Consequently, I give this matter substantial weight. Overall, whilst the proposal would be acceptable in relation to great crested newts, there is insufficient evidence to determine that the proposal would not harm grassland biodiversity or water voles. Consequently, the proposal would conflict with Policy NR2 of the Borough Local Plan 2022, which among other things requires proposals to demonstrate how they would maintain, protect, and enhance the biodiversity of application sites. These provisions are consistent with Paragraphs 174 to 180 of the Framework. The cumulative effects of biodiversity and protected species harms, and the international importance of the latter, means I give this matter substantial weight.

Planning Appeals Received

06 June 2022 to 11 July 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

Appeal Ref.: 22/60049/REF

Planning Ref.: 22/00974/FULL

Plns Ref.: APP/T0355/D/22/
3301858

Date Received: 7 July 2022

Comments Due: Not Applicable

Type: Refusal

Appeal Type: Householder

Description: New detached carport with accommodation in the roof space and external staircase.

Location: **Two Ways Avenue Road Maidenhead SL6 1UG**

Appellant: Mr And Mrs Holmes **c/o Agent:** Mr Sam Dodd Authorised Designs Ltd Suite 1 Hardy House Northbridge Road Berkhamsted HP4 1EF