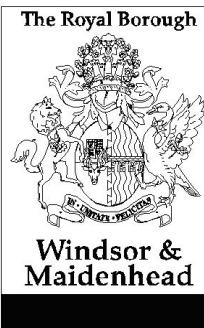


ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

Planning Appeals Received

29 April 2016 - 25 May 2016



MAIDENHEAD

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the Plns reference number and write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email teame1@pins.gsi.gov.uk

Other appeals: The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email teamp13@pins.gsi.gov.uk

Parish/Ward:
Appeal Ref.: 16/60046/REF **Planning Ref.:** 16/00310/FULL **Plns Ref.:** APP/T0355/D/16/
3149746

Date Received: 13 May 2016 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder

Description: Two storey side extension, conversion of loft conversion into habitable accommodation with 2 rear dormers and associated works.

Location: **26 St Lukes Road Maidenhead SL6 7AN**

Appellant: Mr Riaz Azam **c/o Agent:** Mrs Jane Carter Carter Planning Ltd 85 Alma Road Windsor SL4 3EX

Parish/Ward:
Appeal Ref.: 16/60047/REF **Planning Ref.:** 15/01516/FULL **Plns Ref.:** APP/TO355/W/15/
3140786

Date Received: 13 May 2016 **Comments Due:** 17 June 2016
Type: Refusal **Appeal Type:** Written Representation

Description: Four detached houses with attached garages, new private access road following demolition of the existing dwelling

Location: **New Britwell 3 Westmorland Road Maidenhead SL6 4HB**

Appellant: Mr Richard Potyka - RAP Building And Development Ltd **c/o Agent:** Mr Chris Sawden S.T.P.C Maksons House 52 Station Road West Drayton Middlesex UB7 7BT

Parish/Ward: Waltham St Lawrence Parish
Appeal Ref.: 16/60048/REF **Planning Ref.:** 15/03212/FULL **Plns Ref.:** APP/T0355/W/16/
3144712

Date Received: 17 May 2016 **Comments Due:** 21 June 2016
Type: Refusal **Appeal Type:** Written Representation

Description: Replacement dwelling following demolition of existing dwelling

Location: **Fernbank The Straight Mile Shurlock Row Reading RG10 0QN**

Appellant: Mr Martin Guthrie **c/o Agent:** Mr Peter Smith PJSA Chartered Surveyors The Old Place Lock Path Dorney Windsor Berkshire SL4 6QQ

Parish/Ward: Bray Parish
Appeal Ref.: 16/60052/REF **Planning Ref.:** 15/04086/FULL **Plns Ref.:** APP/T0355/W/16/
3147823

Date Received: 19 May 2016 **Comments Due:** 23 June 2016
Type: Refusal **Appeal Type:** Written Representation

Description: New rose trellis, following demolition/relocation of small section of existing picket fence.

Location: **Land Adjacent To Rose Cottage Holyport Street Holyport Maidenhead**

Appellant: Mr Neil Burgess **c/o Agent:** Mr John Hunt Pike Smith & Kemp Rural _ Commercial Ltd The Granary Hyde Farm Marlow Road Maidenhead SL6 6PQ

Parish/Ward:
Appeal Ref.: 16/60053/COND **Planning Ref.:** 15/02928/FULL **Plns Ref.:** APP/T0355/W/16/
3148798
Date Received: 24 May 2016 **Comments Due:** 28 June 2016
Type: Appeal against conditions imposed **Appeal Type:** Written Representation
Description: Replacement detached dwelling (Amendments to 15/01252)(Part Retrospective)
Location: **Goplana Altwood Close Maidenhead SL6 4PP**
Appellant: Mr Ajmal Afzal **c/o Agent:** Mr Ehsan UL-HAQ ArchiGrace Limited 50 Two Mile Drive Slough
SL1 5UH

Parish/Ward: Bray Parish
Appeal Ref.: 16/60054/REF **Planning Ref.:** 16/00647/CLAS **Plns Ref.:** APP/T0355/W/16/
SM 3148826
Date Received: 24 May 2016 **Comments Due:** 28 June 2016
Type: Refusal **Appeal Type:** Written Representation
Description: (Class Q) Change of use from agricultural buildings to residential and associated works
Location: **Unit 3A Coningsby Farm Coningsby Lane Fifield Maidenhead**
Appellant: Mr Michael Smyth **c/o Agent:** Ms Shelley Woods Relic Studio Ltd Relic Studio Battlers
Green Farm Common Lane Radlett Hertfordshire WD7 8PH



Appeal Decision Report

29 April 2016 - 25 May 2016

MAIDENHEAD

Appeal Ref.: 16/00009/REF **Planning Ref.:** 15/03745/FULL **Plns Ref.:** APP/T0355/D/16/3143401

Appellant: Mr Mohammed Sulaman **c/o Agent:** Mr R Johnson 59 Lancaster Road Maidenhead SL6 5EY

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

Description: First floor rear extension, single storey front porch, 1 new window on first floor side elevation and 1 No. rear roof light.

Location: **121 Clare Road Maidenhead SL6 4DN**

Appeal Decision: Allowed **Decision Date:** 4 May 2016

Main Issue: This proposal is similar to another one at No. 123 which is also subject to an appeal against a refusal to grant planning permission and was also before the Inspector to determine; the Inspector considered them together. The appellant in this case, in conjunction with the appellant for No. 123, intends to build the extension at the same time as that at No. 123 if permission is granted. In view of this situation, the Inspector concludes that the construction would be carried out as a whole and this proposal would not result in an unacceptable loss of light to, or an overbearing impact on, the rear windows of No. 123.

Appeal Ref.: 16/00010/REF **Planning Ref.:** 15/03741/FULL **Plns Ref.:** APP/T0355/D/16/3143405

Appellant: Mr Shams Sulaman **c/o Agent:** Mr R Johnson 59 Lancaster Road Maidenhead SL6 5EY

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

Description: Single storey front extension and first floor side and rear extension and 1 No. rear roof light.

Location: **123 Clare Road Maidenhead SL6 4DN**

Appeal Decision: Allowed **Decision Date:** 4 May 2016

Main Issue: This proposal is similar to another one at No. 121 which is also subject to an appeal against a refusal to grant planning permission and which is also before the Inspector to determine (the Inspector considered them together). The Inspector concludes that; as the appellant in this case, in conjunction with the appellant for No. 121, intends to build the extension at the same time as that at No. 121 if permission is granted and, in view of this situation, and as the construction would be carried out as a whole, the Inspector considers that this proposal would not result in an unacceptable loss of light to, or an overbearing impact on, the rear windows of No. 121. The Inspector noted during the visit that there is pressure on the on-street parking and saw that in part of Clare Road parking is restricted to holders of residents' permits. Planning permission has recently been granted for the ground floor side and rear extension and this would also block the access to the garage; the appeal proposal would not result in an increase in the number of bedrooms in the house. The Inspector concludes that it would have no greater impact on the parking situation than the approved ground floor extension which would have been subject to the same parking standards referred to in local plan policy P4.

Appeal Ref.: 16/00017/REF **Planning Ref.:** 15/03644/FULL **Plns Ref.:** APP/T0355/D/16/
3143634

Appellant: Mr And Mrs R Williams **c/o Agent:** Mr Patrick Arthurs APD Planning Consultants Bines
Farmhouse Bines Road Partridge Green Horsham RH13 8EQ

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

Description: Construction of new garage with first floor games room

Location: **Lorien Brayfield Road Bray Maidenhead SL6 2BN**

Appeal Decision: Dismissed **Decision Date:** 9 May 2016

Main Issue: The floorspace of the house would be more than doubled in area and as such the degree of change would be disproportionate. The proposal would therefore be inappropriate development which is, by definition harmful to the Green Belt. In this regard the development would be in conflict with the Framework and Policy GB4 of the LP which seek to resist disproportionate extensions to dwellings in the Green Belt. It would inevitably have an adverse impact on the openness of the Green Belt. The proposal would therefore be in conflict with the Framework and Policy GB2 of the LP insofar as they seek to protect the openness of the Green Belt. Very special circumstances have not been demonstrated. The development would cause non-substantial harm to the character and appearance of the conservation area, and its trees and spacious character, which is not outweighed by public benefits. The proposal is contrary to Policies CA2, DG1 and N6 of the Local Plan.

Appeal Ref.: 16/00022/REF **Planning Ref.:** 15/01060/FULL **Plns Ref.:** APP/T0355/W/15/3140926

Appellant: Mr B Islam **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

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

Description: Change of use from A3 (restaurant) to C3 (residential).

Location: **Cookham Tandoori High Street Cookham Maidenhead SL6 9SL**

Appeal Decision: Dismissed **Decision Date:** 17 May 2016

Main Issue: The appeal site is on one of the main routes through the village which can become isolated during flood events, being surrounded by land that is part of the functional flood plain and therefore highly vulnerable to flooding. Further to this context the proposal would constitute a change from a 'less vulnerable' to a 'more vulnerable' use as defined in Planning Practice Guidance. The appellant's flood risk assessment identifies that during flood events an escape route would be utilised via the Causeway crossing Cookham Moor to the west of the site. Whilst the maximum depth of flooding along a large majority of the route is predicted to be below 0.25m, this level has the potential to be exceeded, albeit over a relatively short section at the western end. Accordingly that part of the route is regarded as a 'danger for some' as defined in the Environment Agency's flood risk guidance¹ meaning that there would be greater risk to health for more vulnerable groups of people such as children, the elderly and the infirm. The Inspector considered that potential hazards, particularly for more vulnerable groups of people, along the escape route during a flood event might include lack of visibility of unmarked drops and objects and coming into contact with cold and unclean water. These hazards would be made worse if evacuating during hours of darkness when general visibility would be limited. The appellant states that Cookham is protected by flood defences. However the Inspector stated that it cannot be assumed that such defences would continue to be maintained to meet the requirement in the National Planning Policy Framework (the Framework) that a development should be made safe for its lifetime. The appellant had proposed further flood management measures, including a suggestion that the premises could be adapted to enable continued occupation during a flood. However the Inspector agreed with the Council that continued safe refuge could be jeopardised by a lack of amenities, clean water and sanitation therefore placing further pressure on emergency services. Registering to receive early notification of likely flood events may of course be very valuable. However, it would not be possible to enforce early evacuation from the area given that some people may prefer to remain in the security of their homes. The Inspector acknowledged that the evacuation route to the west of the village applies to existing properties. However considered that this does not justify the proposal in terms of placing an increased number of residents at risk. The Inspector concluded therefore that the proposal would not make adequate provision for the protection of residents from flood risk in terms of a safe route for escape during flood events. The proposal would therefore be in conflict with Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (as altered) 2003 and with the Framework. Amongst other things, they seek to resist development that would increase the number of people at risk from flooding and ensure safe access and escape routes for the lifetime of the development and the safe management of any residual risks including by emergency planning.
