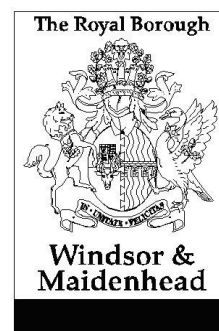


Planning Appeals Received

13 May 2016 - 3 June 2016

WINDSOR URBAN



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 PIns 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.: 16/60049/REF **Planning Ref.:** 15/03533/FULL **PIns Ref.:** APP/T0355/W/16/3145654

Date Received: 18 May 2016

Comments Due: 22 June 2016

Type: Refusal

Appeal Type: Written Representation

Description: Erection of single storey detached two bed dwelling with associated parking and amenity space.

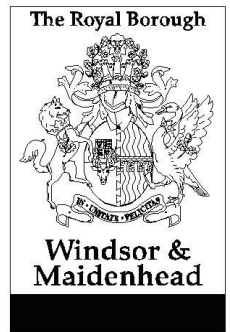
Location: Land At 24 York Avenue Windsor

Appellant: Mrs H Gregory Osborne **c/o Agent:** Miss Michaela Mercer Mercer Planning Consultants Ltd
22 Tanglewood Close Pyrford Woking Surrey GU22 8LG

Appeal Decision Report

13 May 2016 - 3 June 2016

WINDSOR URBAN



Appeal Ref.: 16/00001/REF **Planning Ref.:** 15/02313/CLAS SM **Plns Ref.:** APP/T0355/W/1 5/3141411

Appellant: Mr D Bolster c/o **Agent:** Mr Robert McLennan Heritage South West Ltd 26 Beauclerk Green Winchfield Hook RG27 8BF

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

Description: Change of use of ground floor from A1 retail to bedsits.

Location: 339 - 341 St Leonards Road Windsor SL4 3DL

Appeal Decision: Dismissed **Decision Date:** 24 May 2016

Main Issue: The Inspector considered that the proposed change of use could affect the adequate provision of services in this area and states that on the evidence available it is simply not possible to conclude that there is no reasonable prospect of the unit being used for a relevant use. The Inspector makes reference to paragraph W of Part 3 which allows the Council to refuse an application where, in the opinion of the Council, the developer has provided insufficient information to enable it to establish whether the proposed development complies with an applicable condition. The Inspector concludes that "On the evidence before him, the Inspector is unable to conclude that the loss of the retail unit would not have a harmful effect on the adequate provision of relevant services, and there is simply no evidence that there is not a reasonable prospect of the unit being used to provide such services. Accordingly, having considered all other matters raised, the Inspector concluded that the appeal should be dismissed" COSTS APPLICATION; "The basis of the application here is that the Council mis-directed itself regarding its responsibilities in dealing with a GPDO Schedule 2 Part 3 Class M prior approval application. It is submitted that the Council determined the application under the misapprehension that there was a requirement for the applicant to submit evidence to show that there is not a reasonable prospect of the unit being used to provide relevant services in the future. In essence, the appellant argues that the onus is on the Council to demonstrate the opposite. However, the Council can only determine an application on the evidence before it. Where little or no evidence is provided, as here, the Council is entitled to refuse the application. There is no merit whatsoever in this argument"

Appeal Ref.: 16/00021/REF **Planning Ref.:** 15/00926/FULL **Plns Ref.:** APP/T0355/W/16/3142279

Appellant: Mr Bruce Juby **c/o Agent:** Mr Marcus Sturney Ridsdale Planning 14 Manor Road Windsor SL4 5LP

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

Description: 1 x 3 and 1 x 4 bedroom detached houses with associated parking following demolition of existing dwelling

Location: **Merlins St Leonards Hill Windsor SL4 4AT**

Appeal Decision: Allowed **Decision Date:** 27 May 2016

Main Issue: The development could be accommodated without harm to the character and appearance of the area or to existing trees on the site. Accordingly the development would not be in conflict with Policies DG1, H10, H11 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan (as altered) 2003 (LP) or with the National Planning Policy Framework (the Framework) which seek to protect the character and appearance of the area, promote high quality design and allow for the retention of existing suitable trees. The proposed development would be sufficiently separated from other dwellings in the locality so as not to be harmful to the living conditions of residents there. The proposal would be unlikely to result in harm to any biodiversity interests on the site and that to withhold planning permission on such grounds would be unjustified.

Appeal Ref.: 16/00028/REF **Planning Ref.:** 15/04247/FULL **Plns Ref.:** APP/T0355/D/16/3145099

Appellant: Mr J Bainbridge **c/o Agent:** Mr Alex Frame ADS Property Services Taradale Little Lane Upper Bucklebury Reading RG7 6QX

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

Description: Part two part single storey rear extension and raising of roof to form first floor habitable accommodation.

Location: **15 Castle Avenue Datchet Slough SL3 9BA**

Appeal Decision: Dismissed **Decision Date:** 27 May 2016

Main Issue: The proposal would result in a property that forms an incongruous and unsympathetic addition to the street scene. Due to its increased size and bulk the property would appear overly large when compared with surrounding properties; breaking the uniformity in the area's appearance and ultimately harming its character.
