



Appeal Decision Report

14th October – 12th November 2008

WINDSOR

Appeal Ref.: 08/00010/REF **Planning Ref.:** 07/02650/TPO **Plns Ref.:** GOSE/107/001/WIND/54712

Appellant: Derek Tame 8 The Links Ascot SL5 7TN

Decision Type: Delegated **Officer Recommendation:** Partial Refusal/Partial Approval

Description: Consent to remove 7 Scots Pines. Replace with new trees

Location: 8 The Links Ascot SL5 7TN

Appeal Decision: Dismissed **Decision Date:** 15 October 2008

Appeal Ref.: 08/60022/REF **Planning Ref.:** 07/02419/FULL **Plns Ref.:** APP/T0355/A/08/2063474

Appellant: R T I Conveyors Ltd **c/o Agent:** Geo Plan Consultants Ltd Broadway House 21 Broadway Maidenhead Berkshire SL6 1NJ

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

Description: Extension of existing workshop

Location: The Yard Saddocks Farm Common Road Eton Wick Windsor SL4 6QY

Appeal Decision: Dismissed **Decision Date:** 31 October 2008

Main Issue:

1. The Inspector concluded the partial development on the site does not correspond with that for which permission was originally given in 1988.
2. No very special circumstances have been shown for this inappropriate development which would reduce the openness of the Green Belt.
3. The site lies within flood zone 3a and no FRA has been provided. The proposed development conflicts with PPS25, EN6 and F1.
4. The proposal fails to make a contribution towards highway improvements. However contributions towards library services, public open space and indoor sport and leisure are not justified as they appear to relate more to residential development.

Appeal Ref.: 08/60033/REF **Planning Ref.:** 07/02780/TPO **Plns Ref.:** GOSE/107/1/WIND55142

Appellant: Kuldip Dhupar **c/o Agent:** Mr Quentin Nicholls Capabilities Landscapes The Granary Crewe Lane Kenilworth CV8 2LA

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

Description: Consent to deadwood and crown reduce by 20% one Oak tree

Location: Springmead Lodge Windsor Road Ascot SL5 7LQ

Appeal Decision: Withdrawn **Decision Date:** 14 October 2008

Appeal Ref.: 08/60050/REF **Planning Ref.:** 07/02234/FULL **Plns Ref.:** APP/T0355/A/08/2067279

Appellant: Rigsby New Homes Limited **c/o Agent:** Mr C J Watts Maze Planning Ltd 1 Rooks Close
Welwyn Garden City Hertfordshire AL8 6JT

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

Description: Construction of 13 x 2-bedroom residential units with basement parking following demolition of existing dwelling

Location: **Ashish Nivas Sunning Avenue Sunningdale Ascot SL5 9PW**

Appeal Decision: Dismissed **Decision Date:** 20 October 2008

Main Issue: The Inspector identified 4 issues: -

1. Effect on character and appearance of the area - A large building, close to the road, more urban in character than its surroundings, it would be completely out of character and cause significant harm to the street scene.
2. Effect either alone or in combination with other developmets on integrity of Thames Basin Heaths SPA- Alone, harm would be real, but minor. In combination with other developments the the treat to integrity of the SPA would be a very real possibility. In absence of delivery plan and hence mechanism for RBWM to calculate or accept contributions towards SANGS, the appellants offer of S106 obligation to fund Surrey Wildlife Trust projects was not persuasive.
3. Effect on trees on appeal site - He considered that relationship with trees was acceptable and that extensive works would not be necessary to improve light penetration.
4. Car Parking and Road Safety - Revised plans met Council's parking standards. Improvements to junction would not make it ideal , but would mean that there would be no overall harm to road safety arising from the small increase in traffic attributable to the development.par He concluded that although the South East Plan has challenging targets for RBWM, the need to provide new housing does not outweigh the very significant harm that the proposal would have.

Appeal Ref.: 08/60061/ENF **Enforcement Ref.:** 07/00497/ENF **Plns Ref.:** APP/T0355/C/08/2069608

Appellant: Mr Lee Harris 28 Maidenhead Road Windsor SL4 5EQ

Decision Type: Issue Notice **Officer Recommendation:**

Description: Appeal against the Enforcment Notice for: The change of use of an outbuilding from ancillary use to use as a house in multiple occupation

Location: **28 Maidenhead Road Windsor SL4 5EQ**

Appeal Decision: Dismissed **Decision Date:** 15 October 2008

Main Issue: The appeal was on the grounds that what was alleged in the Enforcement Notice had not occurred as a matter of fact, i.e. the building was not in use as an HMO, and even if it had occurred there had been no breach of planning control. The Inspector dismissed the appeal and considered that the use as an HMO was proven and was materially different from use as an ancillary building to no. 28. He also considered the amount of traffic generated and the increased need for public services such as waste collection was not acceptable. The Council made a claim for costs against the appellant for pursuing an appeal "that had no reasonable prospect of success". The Inspector agreed, the amount to be determined at a later date.

Appeal Ref.: 08/60111/REF **Planning Ref.:** 08/00580/FULL **Plns Ref.:** APP/T0355/A/08/2078807

Appellant: Mr Tom Brown **c/o Agent:** Davis Planning 2 The Vines Barkham Wokingham Berkshire RG41 4YY

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

Description: Alterations to rear to include resiting of air conditioning unit, lowering of parapet wall and redesign of ducts from air conditioning unit

Location: **Arch 19 To 21 Bridgewater Way Windsor SL4 1RD**

Appeal Decision: Dismissed **Decision Date:** 21 October 2008

Main Issue: The Inspector considered that the proposal would result in longer vertical ducts on the rear wall and would have a crude industrial appearance. There would also be an additional duct from the air conditioning unit to the top of the extension and in his view all these ducts, seen together with the untidy collection of extracts and other fittings on the rear wall, would give the rear elevation a particularly utilitarian, poor quality appearance. The Inspector considered that this is of particular significance since this view of the viaduct and its arches can be seen across relatively open land and is a major feature of the Conservation Area. The Inspector also considered that no real thought had been given to the special interest of the Grade II Listed station and its setting.

Appeal Ref.: 08/60088/ENF **Enforcement Ref.:** 08/00512/ENF **Plns Ref.:** APP/T0355/C/08/2072412

Appellant: Eton College **c/o Agent:** Geo-Plan Consultants Ltd Broadway House 21 Broadway Maidenhead SL6 1NT

Decision Type: Issue Notice **Officer Recommendation:**

Description: Appeal against the Enforcement Notice for: Erection of a steel structure adjoining workshop and siting of a temporary office

Location: **Bonds Yard Common Road Eton Wick Windsor SL4 6QY**

Appeal Decision: Withdrawn **Decision Date:** 11 November 2008