

Appeal Decision Report

30th October - 26th November 2008

MAIDENHEAD

Appeal Ref.: 08/60052/NONDET **Planning Ref.:** 07/01629/LBC **PIns Ref.:** APP/T0355/E/08/2067842

Appellant: Mr And Mrs S MacTaggart c/o **Agent:** Richard Knight Associates 81 Reading Road Woodley Berkshire RG5 3AE

Decision Type: Committee **Officer Recommendation:** Would Have Approved

Description: Works in connection with the conversion of Barn B from agriculture to residential with mezzanine level and glazed single storey link to existing farmhouse

Location: **Paradise Farm Twyford Road Waltham St Lawrence Reading RG10 0HL**

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

Main Issue: The Inspector refused listed building consent. He considered the barn conversion and extension would harm the character of the listed buildings and their settings and the character and appearance of the Conservation Area and had not been shown to be the only viable means for their preservation.

Appeal Ref.: 08/60053/NONDET **Planning Ref.:** 07/01628/FULL **PIns Ref.:** APP/T0355/A/08/2067836

Appellant: Mr And Mrs S MacTaggart c/o **Agent:** Richard Knight Associates 81 Reading Road Woodley Reading Berkshire RG5 3AE

Decision Type: Committee **Officer Recommendation:** Would Have Approved

Description: Conversion of Barn B from agriculture to residential with mezzanine level and glazed single storey link to existing farmhouse plus detached double garage and stable

Location: **Paradise Farm Twyford Road Waltham St Lawrence Reading RG10 0HL**

Appeal Decision: Part Allowed **Decision Date:** 11 November 2008

Main Issue: The Inspector gave a mixed decision on the planning application, refusing the conversion of the barn to a single dwelling with extension and erection of garage and approving the erection of stables with demolition of outbuildings. He considered all the proposals, save the garage, not to be inappropriate development in the Green Belt as they satisfied the requirements of GB8, GB4 and GB7 where relevant. He also considered there would be no breach of GB2. He considered the garage to be inappropriate development contrary to GB1. He considered the barn conversion and extension would harm the character of the listed buildings and their settings and the character and appearance of the Conservation Area and had not been shown to be the only viable means for their preservation. He considered the stables element would preserve the character and appearance of the listed buildings and the setting of the Conservation Area.

Appeal Ref.: 08/60068/REF **Planning Ref.:** 07/02690/FULL **PIns Ref.:** APP/T0355/A/08/2070158

Appellant: IMS Associates Ltd **c/o Agent:** JPPC Bagley Croft Hinksey Hill Oxford OX1 5BS

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

Description: Construction of a noise attenuation bunds adjacent to southern side of M4 motorway

Location: **Whitehouse Farm Littlefield Green And Paley Farm Paley Street Maidenhead SL6 3JT**

Appeal Decision: Dismissed **Decision Date:** 19 November 2008

Main Issue: This appeal was dismissed. The Inspector considered that the bunds: - represented inappropriate development in the Green Belt; - would detract from the appearance of the local landscape area: and - would represent an unnatural feature, which would detract from the openness of the Green Belt.

Appeal Ref.: 08/60085/REF **Planning Ref.:** 07/02925/FULL **PIns Ref.:** APP/T0355/A/08/2073495

Appellant: Mr And Mrs M Dries **c/o Agent:** Cavendish House 3 Tower Estate Warpsgrove Lane Chalgrove Oxon

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

Description: Rear conservatory

Location: **Highfield Bath Road Littlewick Green Maidenhead SL6 3RQ**

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

Main Issue: The Inspector dismissed the appeal on the grounds that cumulatively the existing extensions and the proposed conservatory would result in a disproportionate addition over and above the size of the original dwelling. Those it would be inappropriate development in the Green Belt. Secondly, the Inspector considered that the proposed conservatory would if constructed occupy land which is currently undeveloped and would as a result, increase the physical built development and reduce the openness in the Green Belt

Appeal Ref.: 08/60094/REF **Planning Ref.:** 08/00526/FULL **PIns Ref.:** APP/T0355/A/08/2075283

Appellant: Pinkneys Green (06) Ltd **c/o Agent:** Pegasus Planning Group LLP Arlington Square Venture House Devonshire Way Bracknell Berkshire RG12 1WA

Decision Type: Committee **Officer Recommendation:** Defer Legal Agreement

Description: Construction of 4 x 2 bedroom apartments with associated parking and access from Bridge Avenue following demolition of existing

Location: **Former 2 Whyteladyes Lane Cookham Maidenhead**

Appeal Decision: Allowed **Decision Date:** 12 November 2008

Main Issue: 1. The scale and density of development would be compatible with its location, and would not harm the character and appearance of the surrounding area. There would be no unacceptable loss of privacy to neighbouring occupiers. 2. Any noise and disturbance from the new development would be similar to that associated with surrounding dwellings, and the acoustic fence would provide adequate mitigation. The proposed development would not harm highway safety. 3. The Inspector attributed significant weight to the executed planning obligation stating it both addresses a matter that might otherwise lead to dismissal of the appeal, and meets the test for a planning obligation within Circular 05/2005 - Planning Obligations.

Appeal Ref.: 08/60104/REF **Planning Ref.:** 08/00849/OUT **PIns Ref.:** APP/T0355/A/08/2075673

Appellant: Mr Paul Marshall 19 Earlsfield Holyport Maidenhead SL6 2LZ

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

Description: Outline application for construction of a three bedroom detached house following demolition of existing garage and single storey extension

Location: **Land At 19 Earlsfield Holyport Maidenhead SL6 2LZ**

Appeal Decision: Dismissed **Decision Date:** 10 November 2008

Main Issue: the proposed development would appear cramped and would therefore conflict with policy DP5 of the Berkshire Structure Plan (SP) and policies DG1, H10 and H11 of the Royal Borough of Windsor and Maidenhead Local Plan. The proposed development would not be dominating or overbearing to the occupants of properties in White Acres Drive.

Appeal Ref.: 08/60107/REF **Planning Ref.:** 08/00633/FULL **PIns Ref.:** APP/T0355/A/08/2077960

Appellant: St Edwards Property Co Ltd c/o **Agent:** JSA Planning Tavistock House Waltham Road Maidenhead Berkshire SL6 3NH

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

Description: Construction of a 4-bedroom detached house following demolition of existing dwelling

Location: **47 Summerleaze Road Maidenhead SL6 8EW**

Appeal Decision: Dismissed **Decision Date:** 12 November 2008

Main Issue: Compliance with appropriate conditions would result in an overall reduction in flood risk and thus make the proposal acceptable in planning terms, but presence of a two-storey building close to a substantial proportion of the rear garden of 45 Summerleaze Road would be a dominating and oppressive presence and lead to a loss of outlook which would unacceptably diminish the living conditions of the occupiers of that property.

Appeal Ref.: 08/60109/REF **Planning Ref.:** 07/02912/FULL **PIns Ref.:** APP/T0355/A/08/2078819

Appellant: Mr A Quick c/o **Agent:** John Andrews Associates The Lodge 66 St Leonards Road Windsor Berkshire SL4 3BY

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

Description: Change of Use of building from part commercial/part residential to form 4 no. self contained flats (2 x 1 bed and 2 x 2 bed)

Location: **29 - 31 Risborough Road Maidenhead SL6 7BJ**

Appeal Decision: Dismissed **Decision Date:** 19 November 2008

Main Issue: The Inspector dismissed the appeal because the development would not provide adequate amenity space, and would not provide adequate bin storage, cycle storage, drying areas and an off-street parking area. The development would not provide an adequate internal layout, and would create poor relationships between the users of the flats and the users of the rear area. The living conditions of the future occupiers of the flats would be harmed. The appellant has not submitted a unilateral undertaking to secure developer contributions.

Appeal Ref.: 08/60110/REF **Planning Ref.:** 08/00628/FULL **PIns Ref.:** APP/T0355/A/08/2078241
Appellant: Mrs Yvonne Johnstone 5 Orchard Close Maidenhead SL6 2QX
Decision Type: Committee **Officer Recommendation:** Application Permitted
Description: Two storey rear, single storey front and first floor side extensions
Location: **5 Orchard Close Maidenhead SL6 2QX**
Appeal Decision: Dismissed **Decision Date:** 20 November 2008

Main Issue: The Inspector dismissed the appeal because the development would harm the spacious character of the street.

Appeal Ref.: 08/60112/NONDET **Planning Ref.:** 08/00550/FULL **PIns Ref.:** APP/T0355/A/08/2078866
Appellant: Heronsbrook Homes Ltd c/o **Agent:** Mrs N Taplin DLP Planning Limited 2 Richfield Place 12 Richfield Avenue Reading Berkshire RG1 8EQ
Decision Type: Committee **Officer Recommendation:** Would Have Refused
Description: Construction of 1 x 1-bed and 11 x 2-bed flats with associated parking, car park, bin and cycle stores
Location: **59 Harrow Lane Maidenhead SL6 7NY**
Appeal Decision: Dismissed **Decision Date:** 14 November 2008

Main Issue: 1. Highway safety, arising from overspill parking close to a junction. 2. Impact on the character and appearance of the area in this part of Harrow Lane (scale and density). 3. Loss of residential amenity due to noise and disturbance from use of on-site parking facilities (carport-contained and open spaces).

Appeal Ref.: 08/60121/REF **Planning Ref.:** 07/03109/FULL **PIns Ref.:** APP/T0355/A/08/2080593
Appellant: Bird Hills UK Ltd c/o **Agent:** DLP Consultants Ltd 2 Richfield Place 12 Richfield Avenue Reading Berkshire RG1 8EQ
Decision Type: Committee **Officer Recommendation:** Refuse
Description: Replace and extend the existing line of fencing to Driving Range area with 15 metre high fencing and posts along the Ascot Road boundary,
Location: **Bird Hills Golf Centre Drift Road Maidenhead SL6 3ST**
Appeal Decision: Allowed **Decision Date:** 19 November 2008

Main Issue: Although the Inspector concluded that the proposal represented inappropriate development within the Green Belt he also considered that : 1) the urgent need to improve safety at the site; 2) the lack of any clear and reasonable alternative to meet the safety need; 3) the potential to ameliorate the impact of the development by means of landscaping; and 4) the opportunity to allow the established sports facility to continue operating in its present form; combine to represent the very special circumstances which clearly outweigh the harm that would be caused by reason of its inappropriateness and the harm caused to the openness of the Green Belt.

Appeal Ref.: 08/60129/REF **Planning Ref.:** 08/01003/FULL **PIns Ref.:** APP/T0355/A/08/2081595

Appellant: Mr Michael Stone **c/o Agent:** Carter Planning Ltd 85 Alma Road Windsor Berkshire SL4 3EX

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

Description: New front porch and two storey side extension

Location: **High Pines The Avenue Maidenhead SL6 8HG**

Appeal Decision: Dismissed **Decision Date:** 13 November 2008

Main Issue: The Inspector considered that the design of the proposal would appear as a discordant feature unrelated to the existing house and it would therefore be unsatisfactory.

Appeal Ref.: 08/60130/REF **Planning Ref.:** 08/00744/FULL **PIns Ref.:** APP/T0355/A/08/2081146

Appellant: Mr And Mrs Hindley **c/o Agent:** Thame Planning Consultancy 2 Moats Crescent Thame Oxon OX9 3DD

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

Description: Single storey outbuilding

Location: **Dumbledore Warren Row Road Warren Row Reading RG10 8QS**

Appeal Decision: Dismissed **Decision Date:** 13 November 2008

Main Issue: The proposed summerhouse is considered to be inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. In addition, it would have a significantly larger footprint than the existing outbuildings and so would impair the openness of this part of the Green Belt. The proposal, in the absence of very special circumstances, would be contrary to Policies GB1 and GB2 of the Local Plan and DP3 of the Structure Plan.

Appeal Ref.: 08/60135/REF **Planning Ref.:** 08/01320/TLDDT **PIns Ref.:** APP/T0355/A/08/2082479

Appellant: Orange PCS Ltd **c/o Agent:** Mono Consultants Ltd 96 - 98 King Street London W6 0QW

Decision Type: Delegated **Officer Recommendation:**

Description: Application to determine whether prior approval is required for the siting and design of a 10m tall 'Telegraph Pole' style communications mast and associated equipment cabinets.

Location: **Verge Approximately 23 Metres From Bath Road On East Side Of Boyn Hill Road Maidenhead**

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

Main Issue: The bulk, height and positioning of the equipment cabinets would neither preserve nor enhance the character or appearance of the conservation area, in conflict with the PPG15 advice on proposals outside of a conservation area which would affect its setting and views into or out of it. The Inspector is not persuaded that all potential sites have been fully investigated or that the appeal site is the only possible option.

Appeal Ref.: 08/60136/REF **Planning Ref.:** 08/00729/FULL **PIns Ref.:** APP/T0355/A/08/2082501

Appellant: Norland Homes (Bucks) Ltd c/o **Agent:** John Andrews Associates The Lodge 66 St Leonards Road Windsor Berkshire SL4 3BY

Decision Type: Committee **Officer Recommendation:** Defer Legal Agreement

Description: Construction of 8 x 2-bed apartments with bin/cycle store and associated works following demolition of existing

Location: **Primavera Shoppenhangers Road Maidenhead SL6 2PZ**

Appeal Decision: Allowed **Decision Date:** 17 November 2008

Main Issue: The Appeal was allowed because the Inspector considered the development would respect the character of the area, and would not appear unduly bulky or cramped, nor would there be any harm to the outlook or loss of daylight to the neighbour.

Appeal Ref.: 08/60139/REF **Planning Ref.:** 08/00124/FULL **PIns Ref.:** APP/T0355/A/08/2083699

Appellant: Mr Patel c/o **Agent:** Direct Planning Ltd Riverbank House 95 - 97 High Street St Mary Cray Orpington Kent BR5 3NH

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

Description: Change of Use of rear of store from A1 (Retail) to A5 (Hot Food Takeaway) partial infilling of covered yard, new bin store and external stairs, alterations to vehicular access and new extract chimney

Location: **Norfolk Park Stores Norfolk Park Post Office 42 Vicarage Road Maidenhead SL6 7DS**

Appeal Decision: Dismissed **Decision Date:** 13 November 2008

Main Issue: The Inspector found that the development would harm the quiet residential character of the area, and the living conditions of neighbouring residents, and would be in conflict with Policy S7 of the Local Plan. In addition, the scheme would exacerbate existing traffic flow problems and would be detrimental to highway safety, contrary to development plan policy.
