



# Appeal Decision Report

8<sup>th</sup> January – 04<sup>th</sup> February 2009

## WINDSOR

### Parish/Ward

**Appeal Ref.:** 08/60083/REF    **Planning Ref.:** 07/02986/FULL    **Plns Ref.:** APP/T0355/A/08/2072984

**Appellant:** Mr P O Sullivan **c/o Agent:** Christopher Strang Associates 36 Donnington Square Newbury Berkshire RG14 1PP

**Decision Type:** Committee    **Officer Recommendation:** Application Permitted

**Description:** Increase height of approval 07/00834 and additional roof window

**Location:** 4 Gloucester Place Windsor SL4 2AJ

**Appeal Decision:** Allowed    **Decision Date:** 16 January 2009

**Main Issue:** The Inspector allowed the appeal on the grounds that any harm caused to the living conditions of neighbours namely the owners of 10 and 14 Adelaide Square would not be sufficient reason to refuse planning permission, or require the appeal extension to be demolished.

### Parish/Ward

Sunningdale Parish

**Appeal Ref.:** 08/60086/REF    **Planning Ref.:** 07/00335/FULL    **Plns Ref.:** APP/T0355/A/08/2073785

**Appellant:** Messrs B Jowhal And I Khan **c/o Agent:** Charles Planning Associates Ltd 1644-1645 Parkway Solent Business Park Whiteley Hampshire PO15 7AH

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

**Description:** Erection of a kiosk style coffee bar and taxi office

**Location:** Sunningdale Station Car Park London Road Sunningdale Ascot SL5 0EL

**Appeal Decision:** Allowed    **Decision Date:** 9 January 2009

**Main Issue:** A completed legal agreement securing replacement motorcycle parking spaces and the necessary financial contributions has been submitted which overcomes the reason for refusal. The proposal would be most unlikely to result in a material increase in traffic; there are nearby car parks with capacity; the coffee bar is not likely to make a material difference to congestion and any illegal stopping that may occur when the level crossing is closed and as such would not affect highway safety and the free flow of traffic, and the submitted S106 would overcome any detrimental impact. An application for a full award of costs was made and allowed as it was considered that the Council acted unreasonable in inhibiting and preventing development which should reasonably be permitted, introduced reasons for refusal at a late stage and failed to give complete, precise and specific reasons for refusal.

**Parish/Ward**

**Appeal Ref.:** 08/60099/ENF    **Enforcement Ref.:** 08/00529/ENF    **Plns Ref.:** APP/T0355/C/08/2075827

**Appellant:** Ms. M.P.O'Sullivan **c/o Agent:** Christopher Strang Associates 36 Donnington Square Newbury Berkshire RG14 1PP

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

**Description:** Appeal against the Enforcement Notice for: A single storey front extension

**Location:** **4 Gloucester Place Windsor SL4 2AJ**

**Appeal Decision:** Allowed    **Decision Date:** 16 January 2009

**Main Issue:** The Inspector allowed the appeal on the grounds that any harm caused to the living conditions of neighbours namely the owners of 10 and 14 Adelaide Square would not be sufficient reason to refuse planning permission, or require the appeal extension to be demolished as required in the Enforcement Notice.

**Parish/Ward**

**Appeal Ref.:** 08/60100/ENF    **Enforcement Ref.:** 08/00514/ENF    **Plns Ref.:** APP/T0355/F/08/2072419

**Appellant:** Mr. And Mrs. Skelton Astracott 19 Horton Road Datchet Slough SL3 9EN

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

**Description:** Appeal against the Enforcement Notice for: Gates that do not comply with the Authority's standards

**Location:** **Astracott 19 Horton Road Datchet Slough SL3 9EN**

**Appeal Decision:** Allowed    **Decision Date:** 16 January 2009

**Main Issue:** The Inspector concluded that consent is not needed under listed building legislation, as the gates, posts and fence are not directly fixed to the listed building. The ground (c) appeal was therefore allowed. However, he added that the gates and fence were highly inappropriate both in regard to the listed building and the character and appearance of the conservation area, and may need separate planning permission.

**Parish/Ward**

**Appeal Ref.:** 08/60158/REF    **Planning Ref.:** 08/00783/FULL    **Plns Ref.:** APP/T0355/A/08/2086772

**Appellant:** Mr Kabir Alag **c/o Agent:** Mr S Singh 20A Canterbury Road Hanworth Middlesex TW13 5LF

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

**Description:** Two storey side and rear and single storey front extensions with alterations to front and raising and alterations to main roof

**Location:** **39 Welley Road Wraysbury Staines TW19 5DW**

**Appeal Decision:** Dismissed    **Decision Date:** 20 January 2009

**Main Issue:** There was one reason for refusal: whether the proposal is likely to exacerbate flooding in the area. The inspector concluded that the proposed increase in ground covered area of around 100m2 is well in excess of the 30m2 advised for householder extensions within Flood Zone 3 in Policy F1. The proposal is thus contrary to policy F1 and the appeal was accordingly dismissed.

**Parish/Ward** Old Windsor Parish  
**Appeal Ref.:** 08/60157/REF **Planning Ref.:** 08/01799/FULL **Plns Ref.:** APP/T0355/A/08/2086707  
**Appellant:** Mr Jaime Harvey **c/o Agent:** Kevin J Turner Associates 4 Little Oaks Close Shepperton Surrey TW17 0GA  
**Decision Type:** Delegated **Officer Recommendation:** Refuse  
**Description:** Construction of a four bedroom detached dwelling  
**Location:** **Land At 14 Pelling Hill Old Windsor Windsor**  
**Appeal Decision:** Dismissed **Decision Date:** 15 January 2009

**Main Issue:** The Inspector agreed with the council's tree officer who was unsure whether the proposed cutting into the slope could be achieved without compromising the protected tree, he therefore considered that the proposal would conflict with Policy N6 of the Local Plan. The Inspector also considered that in the absence of appropriate obligation, the appeal proposal would not make adequate provision for infrastructure, services, facilities, amenities and public open space made necessary by it and would therefore conflict with Local Plan Policies IMP1 and R3. Finally, the Inspector took the view that there would be no conflict with National Policy Guidance regarding development conspicuous from the Green Belt.

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