

Appeal Decision Report

18th February 2009 to 18th March 2009

MAIDENHEAD

Appeal Ref.: 08/60150/ENF **Enforcement Ref.:** 08/00552/ENF **Plns Ref.:** T0355/C/08/2084265

Appellant: Nadia Carlin **c/o Agent:** The John Phillips Planning Consultancy Bagley Croft Hinksey Hill
Oxford OX1 5BS

Decision Type: Issue Notice

Officer Recommendation:

Description: Appeal against the Enforcement Notice for: The formation of external wall(s) to open sided building, the material change of use of the building, the erection of a building used as offices and the erection of a covered store structure

Location: Hawthorn Farm Long Lane Maidenhead SL6 3TA

Appeal Decision: Dismissed

Decision Date: 16 March 2009

Main Issue: The Inspector dismissed the appeal to retain a new building used principally as offices, but which was also used in part as a store for domestic garden machinery. There had formerly been pig sties there and the appellants said the building should be allowed under S. 174(2) (f) of the Act. It was within what the Inspector described as the "commercial area" of the farmyard and some distance from the house and its garden, and he considered it thereby constituted inappropriate development in the Green Belt and should be removed. However he extended the period for compliance from 3 months to 6 months.

Appeal Ref.: 08/60168/REF **Planning Ref.:** 08/01273/FULL **Plns Ref.:** APP/T0355/A/08/20880
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Appellant: Mr Gordon Gillett **c/o Agent:** Artichoke 71 Clewer Hill Road Windsor Berkshire SL4 4DE

Decision Type: Delegated

Officer Recommendation: Refuse

Description: Two storey side and single storey side extensions

Location: The Old Orchard Coningsby Lane Fifield Maidenhead SL6 2PF

Appeal Decision: Dismissed

Decision Date: 26 February 2009

Main Issue: The extension would be a disproportionate addition and would be inappropriate development in the Green Belt contrary to Local Plan Policy GB4. In arriving at this conclusion, the Inspector argued the conflict with Green Belt policy related to the cumulative increase in the scale of the house from the proposed extension combined with the previous extensions and their visual intrusion affecting openness. Furthermore, the Inspector argued that whilst the plot size had increased, the corresponding proportional increase in the size of the original house significantly greater. The appeal was dismissed due to conflict with Green Belt policy.

Appeal Ref.: 08/60177/REF **Planning Ref.:** 08/01071/FULL **Plns Ref.:** APP/T0355/A/08/2090813
Appellant: Mrs Sarah Bullett Nuneham 22 New Road Holyport Maidenhead SL6 2LQ
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Two storey side and single storey front extension
Location: **Nuneham 22 New Road Holyport Maidenhead SL6 2LQ**
Appeal Decision: Dismissed **Decision Date:** 16 March 2009

Main Issue: The extension would be seen as being very close to the neighbouring property, and would appear over-dominant and incongruous in the street scene. It would be materially harmful to the character and appearance of the street scene. The extension would cause additional overshadowing of the neighbour's rear garden, and the side wall would have an overwhelming impact on the users of the garden. The proposal is therefore detrimental to the living conditions of the neighbouring occupiers.

Appeal Ref.: 08/60184/REF **Planning Ref.:** 08/02334/FUL L **Plns Ref.:** APP/T0355/A/08/2091594
Appellant: Mr And Mrs Carlin **c/o Agent:** JPPC Bagley Croft Hinksey Hill Oxford OX1 5BS
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Retention of outbuilding for use ancillary to residential use of Hawthorn Farm
Location: **Hawthorn Farm Long Lane Maidenhead SL6 3TA**
Appeal Decision: Dismissed **Decision Date:** 16 March 2009

Main Issue: The detached building is inappropriate development which is by definition inappropriate development within the Green Belt. The appellant has not demonstrated any very special circumstances to outweigh this inappropriateness.

Appeal Ref.: 08/60185/REF **Planning Ref.:** 08/02454/FULL **Plns Ref.:** APP/T0355/A/08/2091936
Appellant: Mr And Mrs M Carlin **c/o Agent:** JPPC Bagley Croft Hinksey Hill Oxford OX1 5BS
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Retrospective application for the construction of enclosed front to existing barn including the use of the building for storage (B8) and light Industrial use (B1)
Location: **Hawthorn Farm Long Lane Maidenhead SL6 3TA**
Appeal Decision: Allowed **Decision Date:** 16 March 2009

Main Issue: The use is not inappropriate development within the Green Belt but it is contrary to Local Plan Policy GB8. Further, the appellants could extend the existing building 'A' under their PD rights and also use the outside area for storage, which would be more harmful to the Green Belt. By allowing the appeal conditions could be attached to the decision restricting such use.

Appeal Ref.: 09/60003/REF **Planning Ref.:** 08/02224/FULL **Plns Ref.:** APP/T0355/A/08/2088897

Appellant: Mr Malcolm Wilkins **c/o Agent:** Mr Dennis Harnett D J Harnett Associates Dukes Ride Leighton Buzzard Bedfordshire LU7 3JS

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

Description: First floor conversion of detached garage into habitable living space with garage beneath (annex)

Location: **23 The Fairway Maidenhead SL6 3AR**

Appeal Decision: Dismissed **Decision Date:** 16 March 2009

Main Issue: Two issues: effect of the development on the character and appearance of the area, and impact on the living conditions of occupiers of adjoining houses on The Fairway and Heynes Green, considering in particular privacy and light. The Inspector did not consider that the proposal would be unduly harmful to the street scene, but he dismissed the appeal because he felt that the harm to adjoining occupiers would be unacceptable.

Appeal Ref.: 09/60006/REF **Planning Ref.:** 08/00792/FUL **Plns Ref.:** APP/T0355/A/09/2093634
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Appellant: Mrs J Rogers **c/o Agent:** John Andrews Associates The Lodge 66 St Leonards Road Windsor Berkshire SL4 3BY

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

Description: Use of land for mobile home for occupation solely in connection with the equestrian enterprise film and TV horses (Retrospective)

Location: **Free Range Farm Oakley Green Road Oakley Green Windsor SL4 4GW**

Appeal Decision: Withdrawn **Decision Date:** 4 March 2009

Appeal Ref.: 06/00073/ENF **Enforcement Ref.:** 05/00404/ENF **Plns Ref.:** APP/T0355/C/09/2093747

Appellant: Mrs J .Rogers **c/o Agent:** John Andrews Associates The Lodge 66 St Leonards Road Windsor Berkshire SL4 3BY

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

Description: Appeal against Enforcement Notice for: The material change of use of the Land as a result of the siting of a mobile home used for residential purposes

Location: **Free Range Farm Oakley Green Road Oakley Green Windsor Berkshire SL4 4GW**

Appeal Decision: Withdrawn **Decision Date:** 4 March 2009

Appeal Ref.: 09/60015/REF **Planning Ref.:** 08/01414/FULL **Plns Ref.:** APP/T0355/A/09/2096888

Appellant: Mrs S Brooks **c/o Agent:** Planning And Development Partnership The Annexe Wash Hill Cottage Wash Hill Wooburn Buckinghamshire HP10 0JA

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

Description: Construction of a detached bed and breakfast accommodation building

Location: **Oldfield Guards Club Road Maidenhead SL6 8DN**

Appeal Decision: Withdrawn **Decision Date:** 16 March 2009