



# Appeal Decision Report

27<sup>th</sup> May – 24<sup>th</sup> June 2009

## WINDSOR

**Appeal Ref.:** 09/60008/REF      **Planning Ref.:** 08/01633/FULL      **Plns Ref.:** APP/T0355/A/09/2093876

**Appellant:** Ms Tanya Payne **c/o Agent:** Mr J Andrews - John Andrews Associates The Lodge 66 St Leonards Road Windsor SL4 3BY

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

**Description:** Construction of a replacement house

**Location:** 17 Llanvair Drive Ascot SL5 9HS

**Appeal Decision:** Dismissed      **Decision Date:** 27 May 2009

**Main Issue:** The Inspector found that the proposed dwelling would appear unduly prominent and assertive in its context and markedly at odds with the more low-key nature of the established buildings nearby. He found that the ridge height of the proposed dwelling would be significantly greater than that of adjacent houses and this would be appreciable, notwithstanding the separation distances. Furthermore, the ratio of ridge to eaves height would be markedly and conspicuously different from that prevailing in the locality. He also found that the depth and width of the proposed dwelling would exacerbate the impact of its uncharacteristic height and the proportions of its roof. He therefore concluded on the main issue that the proposal would cause unacceptable harm to the character and appearance of the area. It would therefore conflict with saved Policy DG1(3) of The Royal Borough of Windsor and Maidenhead Local Plan (LP), adopted 1999 (Incorporating Alterations adopted June 2003).

**Appeal Ref.:** 09/60017/REF      **Planning Ref.:** 08/01351/OUT      **Plns Ref.:** APP/T0355/A/09/2097132

**Appellant:** Mr Griffin **c/o Agent:** Mr Peter Salmon Camber Broad Lane Bracknell Berkshire RG12 9BY

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

**Description:** Outline application to a detached house and garage plus further garage for existing house

**Location:** 53 Cheapside Road Ascot SL5 7QR

**Appeal Decision:** Dismissed      **Decision Date:** 27 May 2009

**Main Issue:** The Inspector dismissed the appeal, the reasons for which can be summarised as follows: 1) Impact of the proposed development on the SPA. The site is within 5 km of the Thames Heath Special Protection Area. The Inspector considered that disturbance to birds could come from people either walking on their own or with dogs. The offer of a unilateral undertaking to preclude the occupants of the new house-keeping dogs would not therefore mitigate these effects even if it could be effectively enforced. 2) The failure to submit a 106 Unilateral Undertaking to secure developer contributions.

**Appeal Ref.:** 09/60019/REF      **Planning Ref.:** 08/02900/FULL      **Plns Ref.:** APP/T0355/A/09/2096733  
**Appellant:** Mr Ed McCormack **c/o Agent:** Mr Nigel Hartley 33 Trinity Church Road London SW13 8ET  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Part two part single storey side extension two storey rear extension  
**Location:** **4 Silwood Close Ascot SL5 7DX**  
**Appeal Decision:** Allowed      **Decision Date:** 28 May 2009

**Main Issue:** The Inspector found that the application site lies within a short cul-de-sac which is suburban in appearance and visually separate from the wider countryside by the mature landscaping around the perimeter of Silwood Close. Due to the size and setting of the original building together with the design and location of the proposed additions they would not be seen as disproportionate additions over and above the size of the original dwelling. The proposal would therefore be in accord with PPG2 and policy GB4 and would not be inappropriate development in the green belt.

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**Appeal Ref.:** 09/60025/REF      **Planning Ref.:** 08/01433/FULL      **Plns Ref.:** APP/T0355/A/08/2088128  
**Appellant:** Wentworth Homes The Causeway Staines Middx TW18 3AQ  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Construction of two detached houses with garaging following demolition of existing  
**Location:** **Broom Cottage Broomfield Park Sunningdale Ascot SL5 0JS**  
**Appeal Decision:** Dismissed      **Decision Date:** 28 May 2009

**Main Issue:** The Inspector considered that residential development at the appeal site is likely to have a significant effect on the SPA: Not convinced that adequate parking could be provided and an appropriate amount of landscaping at the front be retained/be provided to ensure the development was sympathetic in this secluded leafy suburban setting; the combination of the width of the plots and the bulk of the properties which would be two storey in close proximity to all side boundaries. This close relationship and concentrated mass of building would be emphasised by the height of the properties. These factors would to my mind result in material harm to the character and appearance of the locality.

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**Appeal Ref.:** 09/60034/REF      **Planning Ref.:** 08/03025/FULL      **Plns Ref.:** APP/T0355/A/09/2100012  
**Appellant:** Mr Alan Sunman - Enigma Creative Solutions Ltd **c/o Agent:** Mr T White 5 Latimer Hanworth Bracknell Berkshire RG12 7LG  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Retrospective application for the change of use of a flat and garage (Class C3) to Business Use (Class B1) for a temporary period  
**Location:** **1 Ascot Lodge London Road Ascot SL5 7EQ**  
**Appeal Decision:** Withdrawn      **Decision Date:** 27 May 2009