

Appeal Decision Report

11th June 2009 - 8 July 2009

MAIDENHEAD

Appeal Ref.: 08/60145/REF **Planning Ref.:** 08/01093/CLU **Plns Ref.:** APP/T0355/X/08/2084418

Appellant: Mr Anthony Bennett **c/o Agent:** Aston Bond Solicitors 135 High Street Slough

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

Description: Certificate of Lawfulness to determine if the existing use of a barn as a residential unit is lawful

Location: **Thimble Farm Sturt Green Holyport Maidenhead SL6 2JH**

Appeal Decision: Allowed **Decision Date:** 2 July 2009

Main Issue: The Inspector considered on the evidence presented both by local residents and by the appellant that, on the balance of probability, the residential use of the barn had been carried on for in excess of 4 years, and a Certificate of Lawful Use should be granted.

Appeal Ref.: 09/60022/REF **Planning Ref.:** 08/01431/FULL **Plns Ref.:** APP/T0355/A/09/2094985

Appellant: Mr David Jacobs - St. Johns Homes (Southern) Ltd **c/o Agent:** Mr David Ames 7 Howard Park Corner Letchworth Garden City Hertfordshire SG6 1PQ

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

Description: Construction of five detached dwellings with garages parking and access road following demolition of Holly Place

Location: **Holly Place And Land Rear Of Glebe Rise Cranham And Roadways Lower Road Cookham Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 30 June 2009

Main Issue: The inspector considered that Hatch Place, the neighbouring development, has been assimilated within the surrounding development successfully. Whilst existing housing generally fronts the main road it has been able to accommodate an isolated pocket of development in depth. Further, the density of development in Hatch Place reflects that of the development to the east. However, further development in depth would entail a more fundamental change in layout and grain of the area, which would not be accommodated so readily. The four houses proposed at the rear of the appeal site would extend in a line from the six houses at the head of Hatch Place. As such there would be a long row of houses running parallel to and behind those which front the main road. She considered that this would diminish the settings of Glebe Rise, the replacement dwelling for Holly Place, Cranham and Roadways to the extent that both the existing and new development would appear cramped. Furthermore the density would not reflect the existing density of development westwards from Hatch Place and beyond the church. As such the Inspector concluded that the proposal would be materially harmful to the character and appearance of the area.

Appeal Ref.: 09/60021/ENF **Enforcement Ref.:** 08/00560/ENF **Plns Ref.:** APP/T0355/C/09/2094906
Appellant: Mr. A. Bennett **c/o Agent:** Aston Bond Solicitors 135 High Street Slough
Decision Type: Issue Notice **Officer Recommendation:**
Description: Appeal against Unauthorised COU of outbuilding from agricultural use to residential use.
Location: **Thimble Farm Sturt Green Holyport Maidenhead SL6 2JH**
Appeal Decision: Allowed **Decision Date:** 2 July 2009
Main Issue: The Inspector considered that on the balance of probability the barn had been used for residential use in excess of 4 years prior to the issuing of the Enforcement Notice, and that it was therefore immune from enforcement action and lawful.

Appeal Ref.: 09/60035/REF **Planning Ref.:** 08/01421/FULL **Plns Ref.:** APP/T0355/A/09/2098835
Appellant: Mr Wil Boemen **c/o Agent:** Mr Rob Croot - Toore Consulting The Warren Caunton Road Bathley Newark Nottinghamshire NG23 6DN
Decision Type: Committee **Officer Recommendation:** Application Permitted
Description: Two storey side extension
Location: **Limburg Halldore Hill Cookham Maidenhead SL6 9EX**
Appeal Decision: Allowed **Decision Date:** 7 July 2009
Main Issue: The Inspector considered the main issue to be the effect the proposed 2 storey side extension would have on highway safety and on the character and appearance of the street scene. The extension would result in this three bedroom property having an additional room at first floor level. This room is marked on the plans as a study but the Council considers it reasonable to count it as a bedroom. However, the Inspector considered that given the internal dimensions of the proposed study he was of the view that it was unlikely to be used as a bedroom and therefore it was unreasonable to treat it as a bedroom for estimating car parking. As such the proposed 2 car parking spaces to the front of the property were sufficient. He also considered that the size of the spaces, which complied with Council standards, were adequate and would not result in cars over hanging the pavement. With regard to character and appearance he considered that the extension would appear subservient to the host dwelling and that it would blend in with the surrounding properties having no detrimental impact on the street scene. Furthermore its design and siting would ensure that the living conditions at neighbouring properties would not be unacceptably harmed.
