



Appeal Decision Report

21st July – 19th August 2009

WINDSOR

Appeal Ref.:	09/60018/REF	Planning Ref.:	08/02395/TPO	Plns Ref.:	APP/TPO/T0355/450
Appellant:	Mr Amrik Singh Sidhu 18 Longbourn Windsor SL4 3TN				
Decision Type:	Delegated	Officer Recommendation:	Partial Refusal/Partial Approval		
Description:	Consent to fell 18 English Oaks and a large group of Oaks fell one Horse Chestnut fell two Common Ash and fell one Maybush or Hawthorn				
Location:	18 Longbourn Windsor SL4 3TN				
Appeal Decision:	Dismissed	Decision Date:	21 July 2009		
Appeal Ref.:	09/60023/REF	Planning Ref.:	08/02647/FULL	Plns Ref.:	APP/T0355/A/09/2097460
Appellant:	Mr Geoff Bovington c/o Agent: Mr Peter Smith PJSA Limited The Old Place Lock Path Dorney Windsor SL4 6QQ				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Retrospective application for the parking of three skip lorries and skips, with ancillary workshop				
Location:	Meadow Lane Farm Oakley Green Road Oakley Green Windsor SL4 5UL				
Appeal Decision:	Allowed	Decision Date:	24 July 2009		
Main Issue:	<p>The Inspector considered that the development would constitute inappropriate development in the Green Belt and the issue was whether there were any very special circumstances to justify the development. The Inspector considered that the lorries and skips would be entirely screened from public views and would have no significant effect on the visual amenities of the Green Belt. The Inspector considered that diversification to support the existing farming activity would accord with the government's objectives for the countryside and therefore considerable weight was attached to the benefits of the diversification. The Inspector considered and attached considerable weight to the absence of any suitable buildings on the farm for diversification. The proposal was compatible with the farming operation and of a limited scale. The need for diversification, together with the absence of any suitable buildings on the site, lend strong support to the proposal. Taken together, the Inspector considered these matters clearly outweighed the totality of harm and therefore very special circumstances exist which justify the development</p>				

Appeal Ref.: 09/60036/REF **Planning Ref.:** 08/02738/FULL **Plns Ref.:** APP/T0355/A/09/2100113

Appellant: Mr Peter Hart The Bungalow Mill Lane Windsor Berkshire SL4 5JE

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

Description: First floor extension to form two storey house

Location: **Bungalow At Edgeworth House Mill Lane Windsor SL4 5JE**

Appeal Decision: Allowed **Decision Date:** 6 August 2009

Main Issue: The Inspector considered that the proposal would not result in significant overlooking or loss of privacy, be overbearing, loss of light or overshadowing. The proposal would not detract from the amenities enjoyed by occupiers of nearby dwellings. The proposal would preserve and in some cases enhance the character and appearance of the conservation area.

Appeal Ref.: 09/60039/REF **Planning Ref.:** 09/00075/FULL **Plns Ref.:** APP/T0355/A/09/2100506

Appellant: Michael Shanly Homes Sorbon Aylesbury End Beaconsfield HP9 1LW

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

Description: Erection of three detached houses with garages and parking following demolition of existing building

Location: **Former 14 Aurora Garden Hotel Bolton Avenue Windsor**

Appeal Decision: Allowed **Decision Date:** 3 August 2009

Main Issue: The sole issue was the developer contributions sought by the Council for these 3 new houses on the former hotel site. The Inspector concluded that the contributions sought by the Council towards education needs are necessary in order to make the development acceptable, but that all the others (i.e. those relating to Public Open Space, Indoor Sport and Leisure, Community and Youth Services, Library Services, Waste disposal and Recycling, Allotments, Biodiversity and Archives) are unnecessary and do not meet all of the tests set out in paragraph B5 of Circular 05/2005 'Planning Obligations'.

Appeal Ref.: 09/60042/REF **Planning Ref.:** 08/02923/TPO **Plns Ref.:** APP/TPO/T0355/536

Appellant: Mr J Sheehan 42 Sutherland Chase Ascot SL5 8TF

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

Description: Consent to fell one Beech Tree

Location: **42 Sutherland Chase Ascot SL5 8TF**

Appeal Decision: Dismissed **Decision Date:** 12 August 2009

Appeal Ref.: 09/60045/REF **Planning Ref.:** 08/01062/FULL **Plns Ref.:** APP/T0355/A/09/2097717

Appellant: Mr Cecil Wiggins **c/o Agent:** Blake Laphorn Tarlo Lyons Seacourt Tower West Way Oxford OX2 0FB

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

Description: Retrospective application for the re-instatement of topsoil on agricultural land, and a new farm track

Location: **Land West Of Poyle Manor Farm Stanwell Road Horton Slough**

Appeal Decision: Withdrawn **Decision Date:** 5 August 2009

Appeal Ref.: 09/60047/REF **Planning Ref.:** 08/02028/FULL **Plns Ref.:** APP/T0355/A/09/2102057
Appellant: Elite Property Developments (London) Limited **c/o Agent:** Mr P Norvill P.M. Norvill 7 Fairfield Lane Farnham Royal SL2 3BX
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Replacement detached dwelling
Location: **26 Wharf Road Wraysbury Staines TW19 5JQ**
Appeal Decision: Dismissed **Decision Date:** 10 August 2009
Main Issue: Proposal would be harmful to the street scene.

Appeal Ref.: 09/60048/REF **Planning Ref.:** 08/02797/FULL **Plns Ref.:** APP/T0355/A/09/2101725
Appellant: Mr And Mrs H S Uppal **c/o Agent:** Mr Phillip Norvill 7 Fairfield Lane Farnham Royal Bucks SL2 3BX
Decision Type: Committee **Officer Recommendation:** Application Permitted
Description: Construction of a 5 bedroom detached house following demolition of existing
Location: **30 Friary Road Wraysbury Staines TW19 5JP**
Appeal Decision: Allowed **Decision Date:** 10 August 2009
Main Issue: The ground cover of the house now proposed would be in excess of the 'target' floor area, however the building would be constructed with underground voids. Taking these voids into account, I estimate that the capacity of the flood plain would not be reduced. There would be no detrimental effects in this regard. I perceive the proposed relationship with existing dwellings to be typical of that to be found in residential areas. Additional privacy can be achieved through the use of obscured glazing and the preclusion of additional windows. As to the street scene, I appreciate that the house would be a much more substantial property than, for example, the adjoining dwelling at 34 Friary Road. Nevertheless, I saw that there were several existing properties with proportions and levels similar to the appeal proposal. In my opinion, the scheme is in keeping with the existing character and appearance of the area.

Appeal Ref.: 09/60049/REF **Planning Ref.:** 08/02595/FULL **Plns Ref.:** APP/T0355/A/09/2102001
Appellant: Mr Shaun Davis **c/o Agent:** Cooper Environmental Planning 12 Homers Road Windsor Berkshire SL4 5RG
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: First floor rear extension
Location: **6 Albany Road Windsor SL4 1HL**
Appeal Decision: Dismissed **Decision Date:** 6 August 2009
Main Issue: The proposal would have a detrimental effect on the existing dwelling, extending part of the gable end, creating a mono - pitch roof and a blank wall extending up to a ridge of the new roof on the boundary with the attached dwelling this would be visually prominent from neighbouring property, including the access/parking area at Alexandra Court. The proposal would harm the character and appearance of the Conservation area.

Appeal Ref.: 09/60056/REF **Planning Ref.:** 08/02540/FULL **Plns Ref.:** APP/T0355/A/09/2102658

Appellant: Sorbon Estates Ltd Sorbon 24 - 26 Aylesbury End Beaconsfield Berkshire HP9 1LW

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

Description: Change of use of the building to D1 (non-residential institutions)

Location: **Motivation Travel Management Ltd M T M Building 12 The Terrace Ascot SL5 9NH**

Appeal Decision: Dismissed **Decision Date:** 5 August 2009

Main Issue: The evidence lead the Inspector to conclude that there would be insufficient on or off-street parking in the surrounding area to accommodate the increased parking demand. The scale of activity generated by the new use would be likely to intensify existing conflicts between road users as a result of increased traffic congestion in the narrow streets around the site, and more parking on footways and in other unsuitable places. As a result, the safety of highway users, especially pedestrians and cyclists, would be endangered.

Appeal Ref.: 09/60051/REF **Planning Ref.:** 08/02773/FULL **Plns Ref.:** APP/T0355/A/09/2103121

Appellant: Ms Tiffany Gogna **c/o Agent:** Mr S Varney - Stephen Varney Associates Ltd Siena Court Broadway Maidenhead SL6 1NJ

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

Description: Construction of a two storey side extension to Number 35 to create a 3 bedroom semi-detached dwellinghouse

Location: **Land At 35 Princess Avenue Windsor**

Appeal Decision: Dismissed **Decision Date:** 6 August 2009

Main Issue: The Inspector considered that the new house would appear very prominent in views along the avenue and it would be incongruous and out of keeping with its surroundings. No unilateral undertaking was submitted. The Inspector considered that the financial contributions sought towards infrastructure provision were justified and satisfied the tests of the Circular.
