

Appeal Decision Report

6th August 2009 – 2nd September 2009

MAIDENHEAD

Appeal Ref.: 08/60181/REF **Planning Ref.:** 08/02210/FULL **Plns Ref.:** APP/T0355/A/08/2091183

Appellant: Miss Penny Grimster **c/o Agent:** Mr John Hunt Pike Smith And Kemp 43 High Street Marlow Buckinghamshire SL7 1BA

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

Description : Retention of three mobile homes for a temporary period

Location: **Wayside Stables Fifield Road Fifield Maidenhead SL6 2PG**

Appeal Decision: Allowed **Decision Date:** 20 August 2009

Main Issue: The Inspector granted permission for 2 mobile homes to be retained (there are 3 mobile homes at present) for a temporary period of 3 years, and that an Enforcement Notice served at the same time would only take effect at the end of this period. He considered that the "functional test" in PPS7, Annex A had been met as this was agreed to be a long-standing enterprise requiring two people on site at all times, but as the structures adversely affected the open character and appearance of the Green Belt, he required that they should be re-sited away from the site entrance back into the main site within 3 months.

Appeal Ref.: 09/60002/ENF **Enforcement Ref.:** 08/00551/ENF **Plns Ref.:** APP/T0355/C/08/2091322

Appellant: Ms. P. Grimster **c/o Agent:** Pike Smith And Kemp Rural 43 High Street Marlow Bucks SL7 1BA

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

Description : Appeal against the Enforcement Notice for: The material change of use of the land from equestrian use to mixed use of equestrian use and residential use by the siting of 3 mobile homes and the use of a mobile/portacabin used as a staffroom

Location: **Wayside Stables Fifield Road Fifield Maidenhead SL6 2PG**

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

Main Issue: This appeal was solely on the grounds that the requirements of the Notice were excessive, but the Inspector considered that it should be upheld in its present form and the mobile homes and rest room removed. However, under a separate appeal against the refusal of planning permission, he granted permission for 2 mobile homes and a rest room to be retained (there are 3 mobile homes at present) for a temporary period of 3 years, and the Enforcement Notice would only take effect at the end of this period. He considered that the "functional test" in PPS7, Annex A had been met but required that the structures adversely affected the open character and appearance of the Green Belt, and should be re-sited away from the site entrance back into the main site within 3 months.

Appeal Ref.: 09/60057/REMISS **Planning Ref.:** 09/80002/HH **Plns Ref.:** APP/HH/09/801
Appellant: Mr Paul Kemp The Bosket Halldore Hill Cookham Maidenhead SL6 9EX
Decision Type: Delegated **Officer Recommendation:** HH Complaint Dismissed
Description: Reduction of High Hedge
Location: **Orchard Cottage Halldore Hill Cookham Maidenhead SL6 9EX**
Appeal Decision: Allowed **Decision Date:** 20 August 2009

Appeal Ref.: 09/60043/REF **Planning Ref.:** 08/02029/FULL **Plns Ref.:** APP/T0355/A/09/21007
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Appellant: Mr Mike Beale **c/o Agent:** Ms Jan Molyneux (Mrs S Eyles And Mr M Beale) Stephen Bowley
Planning Consultancy Ferndale Tiddington Thame Oxfordshire OX9 2LQ
Decision Type: Committee **Officer Recommendation:** Application Permitted
Description: Construction of a 3-bedroom chalet style dwelling and attached single garage with access onto
Knowsley Close
Location: **1 Pinkneys Drive Maidenhead SL6 5DS**
Appeal Decision: Allowed **Decision Date:** 13 August 2009

Main Issue: The Inspector considered the main issue to be the effect on the character and appearance of the area. Given the appearance of the surrounding development the Inspector did not consider the appeal development to be out of place nor be unduly cramped.

Appeal Ref.: 08/60187/REF **Planning Ref.:** 08/02326/VAR **Plns Ref.:** APP/T0355/A/08/2092114
Appellant: Eastwick Holdings **c/o Agent:** Turnley Associates Brunswick House 8 - 13 Brunswick Place
Southampton SO15 2AP
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Variation of Condition 18 (Occupancy restricted to the Elderly) of permission 05/00894 to allow
no age restriction
Location: **Apple Hill Nursing Home Henley Road Hurley Maidenhead SL6 5LH**
Appeal Decision: Dismissed **Decision Date:** 26 August 2009

Main Issue: This appeal related to a proposal to widen the scope for occupation of the residential care home to include adults whose assessed primary need is Learning Disability as defined in the Mental Health Act, as well as the elderly, (as already permitted). The Inspector considered it entirely reasonable for the Council to attach the condition which restricted movement within Use Class C2 and concluded that the proposal would have harmful implications, notably in the form of a significant intensification of activity at the site, and also in terms of a greater level of traffic movement to and from it. He did not consider there were any very special circumstances to justify overriding these concerns. He did not agree with additional objections raised by third parties relating to the lawfulness of the building, potential antisocial behaviour and highway safety.

Appeal Ref.: 09/60055/REF **Planning Ref.:** 08/02884/FULL **Plns Ref.:** APP/T0355/A/09/2103143

Appellant: Mr D Smith **c/o Agent:** Mr R Cutler - Cutler Architects 43 St Marys Street Wallingford Oxfordshire United Kingdom OX10 0EU

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

Description: Two storey rotunda extension

Location: **French Farm Hurley Lane Hurley Maidenhead SL6 5LL**

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

Main Issue: 72% increase in floorspace is considered to be disproportionate and therefore the proposal is considered to be inappropriate development in the Green Belt. The fact that the proposed extension cannot be seen from outside the site does not overcome its inappropriateness and does not represent the very special circumstances which would overcome its inappropriateness.

Appeal Ref.: 09/60066/REF **Planning Ref.:** 08/02161/FULL **Plns Ref.:** APP/T0355/A/09/2104598

Appellant: Henry Boot Developments Ltd **c/o Agent:** Mr Andy Stallan - Alliance Planning Wharf House Wharf Road Guildford Surrey GU1 4RP

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

Description: Redevelopment to provide 19 no. B1 commercial units of two three and four storeys with associated parking and landscaping

Location: **Former Unit 5 Oldfield Road Maidenhead**

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

Main Issue: As S106 undertaking now completed Inspector considered main issue to be effect on the character and appearance of the area. Notwithstanding the difference in scale, he did not consider that the commercial development would be unacceptable. He found it to be an attractive, modern design, with the three storey elements set back from the main building line. This together with the extensive glazing helps reduce the apparent height and bulk of the building. There would be adequate separation between 1 Oldacres and the four storey element, and existing and proposed landscaping would help soften its impact. Although the development would be higher than the adjoining Amber Centre in Oldfield Road, he did not consider there would be an awkward juxtaposition. The development would make a positive design statement within an obviously commercial frontage. He concluded that the character and appearance of the area would not be harmed.

Appeal Ref.: 09/60067/REF **Planning Ref.:** 09/00372/FULL **Plns Ref.:** APP/T0355/A/09/2103193

Appellant: Mr Ricky Davidson **c/o Agent:** Mr R Patel 2 Juniper Road Cove Farnborough Hampshire GU14 9XU

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

Description: Construction of a 3-bedroom detached house and garage

Location: Land At 47 Allenby Road Maidenhead SL6 5BE

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

Main Issue: The Inspector dismissed the appeal for the following reasons: The subdivision of the site would appear arbitrary, creating two awkwardly shaped plots. There would be little more than a token gap between the leading edge of the new dwelling and the garden hedge along Allenby Road. The proposed car parking spaces and garage would require the removal of some of the established tree and shrub planting at the rear of the plot. The new vehicular access and car parking spaces for number 47 would further erode the original garden area. The proposed layout would give the new dwelling an ungainly appearance and would represent a cramped overdevelopment of number 47's original site. It would also disrupt the pleasing symmetry of the semis and project forward of the prevailing building line on the western side of Allenby Road. It would appear a random and obtrusive afterthought in the street scene. The development would not provide adequate usable amenity space for either dwelling. The proposal would fail to provide developer contributions towards infrastructure improvements made necessary by the development.
