



Appeal Decision Report

25th November 2009 – 22nd December 2009

MAIDENHEAD

Appeal Ref.: 09/60060/ENF **Enforcement Ref.:** 09/00576/ENF **Plns Ref.:** APP/T0355/C/09/2103461

Appellant: Mr Mario Henry Lisle **c/o Agent:** Mr Mike Hamlin M D Hamlin Associates 43 Marine Drive East Barton On Sea Hampshire BH25 7DX

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

Description: Appeal against the Enforcement Notice for: 1. Use of the land and building for the storage of building materials. 2. Siting of a mobile home used for the storage of household goods and furniture. 3. Use of the land for the importation and deposit of waste materials, including brick and concrete rubble, garden waste and household rubbish.

Location: **Land South Of Weycock Cottage Milley Road Waltham St Lawrence Reading**

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

Main Issue: This was an appeal solely under S.174 (2) (d) of the Act that the use of the land for the importation and storage of waste materials and building materials had been carried on for in excess of 10 years and was thereby immune from enforcement action. The Inspector supported the evidence from local residents and the Council's enforcement records rather than the evidence of the appellant, dismissed the appeal and upheld the requirements of the Notice that all such materials should be removed from the land within two months.

Appeal Ref.: 09/60078/REF **Planning Ref.:** 08/02850/FULL **Plns Ref.:** APP/T0355/A/09/2107477

Appellant: Mr Jon Connell **c/o Agent:** Mr Simon Taylor The Office 39 Swinburne Road Abingdon Oxon OX14 2HG

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

Description: Detached triple garage with open port and games room/storage area above

Location: **Lot Farm Lutmans Haven Knowl Hill Reading RG10 9YN**

Appeal Decision: Dismissed **Decision Date:** 3 December 2009

Main Issue: The proposed development is inappropriate development in the Green Belt, and no very special circumstances exist to justify the development. The proposal is therefore contrary to Policy GB1 of the Local Plan. There would be some harm to the openness of the Green Belt, so there would be a conflict with Policy GB2. The development would fail to preserve the setting of the Listed Buildings, and so would conflict with Policy LB2 of the Local Plan.

Appeal Ref.: 09/60082/REF **Planning Ref.:** 09/00192/FULL **Plns Ref.:** APP/T0355/A/09/2106749
Appellant: Mr Kevin Maizey **c/o Agent:** Selsdon Consultancy 24 - 28 St Leonards Road Windsor Berkshire SL4 3BB
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Extension of existing balcony to cover the boat dock
Location: **No 2 The Boathouse Gibraltar Lane Cookham Maidenhead SL6 9TR**
Appeal Decision: Dismissed **Decision Date:** 16 December 2009

Main Issue: The Inspector dismissed the Appeal. His findings were as follows. The proposed development is not an essential facility for outdoor sport and other recreation, and is therefore inappropriate development in the Green Belt. Very special circumstances do not exist to outweigh this. It is contrary to PPG2 and Local Plan Policy GB1. The proposal would have a harmful effect on the openness of the Green Belt contrary to Policy GB2 and PPG2. The proposal would detract from the pleasant and open riverside setting and would harm an attractive riverside willow tree. Fails to preserve or enhance the character or appearance of the Cookham Dean Conservation Area. It is also contrary to Policy N2 which seeks to protect the setting of the Thames.

Appeal Ref.: 09/60084/REF **Planning Ref.:** 08/02658/FULL **Plns Ref.:** APP/T0355/A/09/2108300
Appellant: Kas Ali Hollywood Nails 9 Queen Street Maidenhead SL6 1NB
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Change of use from A1 (shop) to A1(Sui Generis). Installation of roller shutter to shop front. Retrospective.
Location: **9 Queen Street Maidenhead SL6 1NB**
Appeal Decision: Allowed **Decision Date:** 30 November 2009

Main Issue: The main issue was the effect of the roller shutter on the character and appearance of the Conservation Area. The Inspector considered that the use of roller shutters of various types is already part of the character and appearance of the town centre and that the roller shutter on the appeal property does not alter these to a material extent. The Inspector concluded the character and appearance of the Conservation Area would be preserved and allowed the appeal.

Appeal Ref.: 09/60085/REF **Planning Ref.:** 09/00145/FULL **Plns Ref.:** APP/T0355/A/09/2106599
Appellant: Mrs Sui Mei Sum **c/o Agent:** Mr R Patel 2 Juniper Road Cove Farnborough Hampshire GU14 9XU
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Construction of a 4 x 1 bedroom flats with associated parking following demolition of existing building
Location: **4 Harrow Lane Maidenhead SL6 7PE**
Appeal Decision: Dismissed **Decision Date:** 3 December 2009

Main Issue: The appeal was dismissed for two reasons, which were contained in the first and, in part, the second reasons for refusal. The reasons for dismissal were: The proposed building would harm the character and appearance of the surrounding area, contrary to local plan policies H10, H11 and DG1 insofar as they require new development to be of a high standard of design and compatible with its surroundings. On privacy grounds alone, satisfactory conditions would not be provided for the occupiers of the proposed development. As such it would not comprise the high quality well designed housing that is sought by PPS 1 and PPS 3. The Inspector concluded that the third reason for refusal, which related to inadequate provision of cycle storage / parking, could have been overcome by a condition in the event that the proposal had been acceptable. However, the key issues could not be addressed by conditions.

Appeal Ref.: 09/60091/REF **Planning Ref.:** 09/00059/FULL **Plns Ref.:** APP/T0355/A/09/2109080
Appellant: Mr Martin Hayward 67 Cadwell Drive Maidenhead SL6 3YS
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Two storey side extension and new boundary fence
Location: **67 Cadwell Drive Maidenhead SL6 3YS**
Appeal Decision: Dismissed **Decision Date:** 4 December 2009

Main Issue: The scale of the development, the location of the new gable wall in a prominent position in the street scene on a corner at the entrance to a cul de sac, the proximity of the extended building to the pavement, the loss of the small almond tree and of the dense hedgerow and the enclosure of presently open land within the private rear garden by the new fence/wall. These details would, in combination, result both in a bulky property that would be out of scale with its plot and an unacceptable erosion of the pleasant character and appearance of the nearby part of the estate. This would be in conflict with policies DG1 and H14(1) of the local plan.

Appeal Ref.: 09/60050/REF **Planning Ref.:** 08/03101/TPO **Plns Ref.:** APP/TPO/T0355/572

Appellant: Mr James Bennis Kinghorn Park (Nature Reserve) Residents Association Limited 17 Kinghorn Park Maidenhead SL6 7TX

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

Description: Consent to fell the following trees within two years: tree no's 15, 16, 17, 18, 19, 20 and 28 on the south side of the SSSI and tree no's 29, 30, 33, 34, 35, 36, 37, 41, 47, 56, 65 and 71 from the north side of the SSSI and to fell within five years tree no's 31, 32, 40, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 62, 63, 64, 66, 67, 68, 69 and 70 on the north side of the SSSI

Location: **0 Kinghorn Lane Maidenhead SL6 7QG**

Appeal Decision: Withdrawn **Decision Date:** 11 December 2009