



The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 03034445067

Customer Services:
0303 444 5000

Email:
APOCT1@planninginspectorate.gov.uk

www.gov.uk/planning-inspectorate

Mrs Natasha Doughty
Royal Borough of Windsor and Maidenhead
Town Hall
Zone C, 1st Floor
St Ives Road
Maidenhead
SL6 1RF

Your Ref: 21/01935

Our Ref: APP/T0355/D/21/3283780

24 January 2022

Dear Mrs Doughty,

Town and Country Planning Act 1990
Appeal by Ms Lisette Khalastchi
Site Address: Whiteladies Park, Prince Albert Drive, ASCOT, SL5 8AQ

I have received an appeal form(s) and documents for this site. I am your case officer, if you have any questions, please contact me.

I have checked the papers and confirm that the appeal(s) is valid. If I find out later for any reason this is not the case, I will write to you again.

The procedure and starting date

The appellant(s) has requested the written representations procedure. We have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the Householder Appeals Service (HAS) is suitable and we intend to determine this appeal(s) by this procedure.

If you believe the HAS is not appropriate for this appeal(s), you should email us immediately setting out the reasons why you think this is so. Please note there must be exceptional reasons for us to agree to a procedure other than the HAS.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

For HAS appeal(s) we expect to work with you electronically, and will correspond with you by email. Only in exceptional circumstances will we send you a hard copy in the post.

Where applicable, you can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>.

The following documents must be sent within this timetable.

By 5 working days from the start date

You must notify any person notified or consulted in accordance with the Act or a development order and any other interested persons who made representations to you about the application that the appeal(s) have been made. The HAS procedure does not offer an opportunity for interested parties to comment at the appeal stage. However, any representations they may have made to you regarding the original planning application will be forwarded to us and the Inspector will take full account of these representations when deciding the appeal(s).

You will need to set out how the interested persons can withdraw their earlier comments if they wish to do so.

You should also advise them that the appeal documents can be viewed at your offices (or on your website) and that the Inspector's decision (when it is issued) and information regarding the progress of this appeal(s), can be accessed via GOV.UK—(<https://www.gov.uk/appeal-planning-inspectorate>). You should also tell them they can request a paper copy of the appeal decision when it is issued, from your office.

You must send me a copy of a completed appeal questionnaire, which should include all supporting documentation, preferably via GOV.UK. Please also send a copy of the questionnaire and documents to the appellant(s) using their preferred method of communication as specified on their appeal form(s).

While you have no right to submit an appeal statement, you should draw the Inspector's attention to any factual inaccuracies or matters in the grounds of appeal that are materially different to those referred to at application stage. This should be in the form of a short note setting out only the inaccuracies/material differences and should not include areas involving a value judgement. You should email your comments to me alongside the questionnaire or sooner if you recognise it is necessary, quoting the case reference number above.

Site visit

We will arrange for one of our Inspectors, or their representative, to visit the appeal site. The Inspector, or their representative, will conduct the site visit alone. If it is decided that the Inspector, or their representative, needs to enter the site we will write to the appellant(s) advising of the need to attend in order to provide access. Inspectors, or their representatives, will not accept any documents or discuss the appeal at the site visit. You are not required to attend the site visit.

Costs

The appellant(s) has been directed to the information regarding costs contained in the Department for Communities and Local Government's Planning Practice Guide available on GOV.UK at <https://www.gov.uk/guidance/appeals>. If you wish to make an application for an award of costs, you must do so within 14 days of this letter. Any application received later than this will be treated as "out of time" and will not be considered. You should also

be aware that costs can be awarded at the initiative of the Inspector.

Further information

Further information about the appeals process, can be accessed at GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. I recommend that you read the relevant guidance.

Yours sincerely,

Latoya Blake-Griffiths

Latoya Blake-Griffiths

The Planning Inspectorate

QUESTIONNAIRE (s78) HOUSEHOLDER APPEAL (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter.

Appeal Reference

APP/T0355/D/21/3283780

Appeal By

MS LISETTE KHALASTCHI

Site Address

Whiteladies Park, Prince Albert Drive
ASCOT
SL5 8AQ

PART 1

- | | | | | |
|--|-----|-------------------------------------|----|-------------------------------------|
| 1. Do you agree that the Householder Appeals Service (HAS) written representation procedure is appropriate for this appeal? Please note there must be exceptional reasons for us to agree to a procedure other than HAS. | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 2.a. Are there any appeals or matters relating to the same site still being considered by us or the Secretary of State? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 2.b. Are there any appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 3. Can the Inspector see the relevant parts of the appeal site from public land? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 4. Will the reasons for refusal/grounds of appeal require the Inspector to enter: | | | | |
| 4.a. the appeal site or property to judge the appeal proposal? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| A site visit would be required to verify the rear wall of the dwellinghouse. | | | | |
| 4.b. a neighbour's land or property to judge the appeal proposal? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 5. Are you aware of any specific health and safety issues, from your Officer's visits to the site or otherwise, which would need to be taken into account when the inspector visits the site? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 6.a. Is the site within a Conservation area? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 6.b. Is the site adjacent to a Conservation Area? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 6.c. Is the site within a green belt? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 6.d. Is the site in an Area of Outstanding Natural Beauty? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 7.a. Does the proposed development involve the demolition, alteration or extension of a listed building? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 7.b. Would the proposed development affect the setting of a listed building? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 8. Did you give publicity, as required, for the site being within a Conservation Area or affecting a listed building? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 9. Is any part of the site subject to a Tree Preservation Order? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

PART 2

Environmental Impact Assessment - Schedule 2

10.a.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?

Yes

☐ No



Screening

10.c.i. Have you issued a Screening Opinion (SO)?

Yes

☐ No



Environmental Statement (ES)

10.d. Has the appellant supplied an environmental statement?

Yes

☐ No



Publicity

10.e. If applicable, please send a copy of the site notice and local advertisement published under Article 15 of the DMPO 2015, as required for EIA development with your case file.

Applies

☐ N/A



11.a. the development hereby permitted shall begin not later than three years from the date of this decision.

Yes

☐ No



11.b. the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Yes

☐ No



11.c. the development hereby permitted shall be carried out in accordance with the approved plans.

Yes

☐ No



11.d. any other conditions you regard as necessary?

Yes

☐ No



PART 3

12.a.i. All the plans submitted with the application;



☒ [see 'Questionnaire Documents' section](#)

12.a.ii. A list of the plans submitted with the application, stating each reference number and clearly indicating which of these plans was under consideration at the time the application was decided;



☒ [see 'Questionnaire Documents' section](#)

12.b.i. A copy of the letter/site notice with which you notified interested parties about the householder planning application and a list of the addresses to which it was sent if applicable;



12.b.ii. All representations received from interested parties about the application, including comments from internal and external consultees;



12.c. A copy of the letter with which you notified people about the appeal and a list of the addresses to which it was sent;



☒ [see 'Questionnaire Documents' section](#)

☒ [see 'Questionnaire Documents' section](#)

12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes;



☒ [see 'Questionnaire Documents' section](#)

12.e. Design and Access Statement (if submitted);



- 12.f. Extracts from any statutory development plan policy (inc front page, title and date of approval/adoption and status); ☐
- 12.g. Extracts from relevant policies which have been saved by way of a direction; ☐
- 12.h. Extracts from any supplementary planning guidance that you consider necessary (and/or any supplementary planning guidance published under previous provisions still in place) together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached; ☐
- 12.i. Relevant planning history only (e.g. previous relevant permissions if appropriate), including a list of relevant documents taken into account when considering the application. ☒
- ☒ see 'Questionnaire Documents' section
- 12.j. If any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded; ☐
- 12.k. If any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued; ☐
- 12.l. Your Authority's CIL charging schedule is being/has been examined; ☐
- 12.m. Your Authority's CIL charging schedule has been adopted. ☒

Please provide the date of adoption:

01/09/2016

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ☒

LPA's reference

Completed by

On behalf of

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/T0355/D/21/3283780

Appeal By MS LISETTE KHALASTCHI

Site Address Whiteladies Park, Prince Albert Drive
ASCOT
SL5 8AQ

The documents listed below were uploaded with this form:

Relates to Section: PART 3
Document Description: 12.a.i. All the plans submitted with the application
File name: 21_01935_PDXL-PROPOSED_ELEVATIONS-2461757.pdf
File name: 21_01935_PDXL-PROPOSED_FIRST_FLOOR_PLAN-2461759.pdf
File name: 21_01935_PDXL-PROPOSED_ELEVATIONS-2461755.pdf
File name: 21_01935_PDXL-EXISTING_PLANS-2461762.pdf
File name: 21_01935_PDXL-SITE_PLAN-2461763.pdf
File name: 21_01935_PDXL-SITE_LOCATION_PLAN-2461764.pdf
File name: 21_01935_PDXL-EXISTING_ELEVATIONS-2461758.pdf
File name: 21_01935_PDXL-SUPPORTING_STATEMENT-2461753.pdf
File name: 21_01935_PDXL-PROPOSED_GROUND_FLOOR_PLAN-2461760.pdf
File name: 21_01935_PDXL-COVER_LETTER-2462596.pdf

Relates to Section: PART 3
Document Description: 12.a.ii. A list of the plans submitted with the application, stating each reference number and clearly indicating which of these plans was under consideration at the time the application was decided
File name: List of Plans.pdf
File name: ufm3_Refusal_PD.pdf

Relates to Section: PART 3
Document Description: 12.c. A copy of the letter with which you notified people about the appeal.
File name: ufm6_Parish_Notification_Appeal.pdf

Relates to Section: PART 3
Document Description: 12.c. A list of the addresses of the people who were notified of the appeal.
File name: ufm4_Circulation_List.pdf

Relates to Section: PART 3
Document Description: 12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes.
File name: Planning officers report.pdf

Relates to Section: PART 3
Document Description: 12.i. Relevant planning history only (e.g. previous relevant permissions if appropriate), including a list of relevant documents taken into account when considering the application.
File name: 21_01935_PDXL-HISTORY_LOG-2462557.pdf

Completed by Not Set

Date 31/01/2022 10:22:27

Appeal Circulation List

Appeal Ref: 22/60006/REF **DC Ref:** 21/01935/PDXL

Neighbours Notified

None

Consultees Notified

Sunninghill And Ascot Parish

Reason for Refusal/Conditions Appealed Against

The Council of the Royal Borough of Windsor and Maidenhead certifies in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended by Section 10 of the Planning and Compensation Act 1991) that on 23rd June 2021 the development would not be lawful within the meaning of Section 192 of the above Act for the following reasons:

- 1 The proposal is not automatically granted planning permission under Article 3 and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), as the proposal fails to comply with paragraphs (g) and (j). Planning permission is therefore required for the proposed development.