



Appeal Decision

Site visit made on 9 September 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2025.

Appeal Ref: APP/T0355/W/25/3364661

5 St. Leonards Road, Windsor, Windsor and Maidenhead SL4 3BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Shedan Ltd against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 25/00156.
 - The development proposed is described as “the conversion from Commercial Use (Class E) to Residential (Class C3)”.
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Decision

1. The appeal is dismissed.

Appeal Procedure, Preliminary Matters and Main Issues

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal. In addition, I have taken the description from the application form which is sufficient to identify it. I have omitted the additional explanation that follows but have taken it into account.
3. Under the above-mentioned legislation, planning permission is granted for the change of use of a building from Class E (commercial, business and service) to Class C3 (dwellinghouses), subject to limitations and conditions. I have no reason to disagree with the Council’s conclusions on the compliance of the scheme with the relevant permitted development provisions and some prior approval matters.
4. This decision therefore focusses on whether a) the transport impacts of the development, particularly to ensure safe site access, would be acceptable; and b) the development would provide acceptable living conditions with regard to the amount of floor space in accordance with the Nationally Described Space Standards.

Reasons for the Recommendation

Transport Impacts

5. Two of the reasons for refusal cited by the Council relate to how the proposed development would have unacceptable transport impacts with regard to inadequate cycle parking and refuse storage respectively. The appeal site is located on a busy side street of the main shopping area above an existing bar with narrow pathways outside and a one-way system.

6. The proposed cycle parking for the dwelling is to be situated on the first floor. In town centre locations such may be on the first floor due to ground floor constraints. However, in this circumstance, the stairways to access the first floor are very narrow, steep and involve a 180-degree turn. This would become more problematic given the narrowness of the approach corridor leaving no space for manoeuvre. I do not dispute that a bicycle could be stored in its proposed location, it would nonetheless be difficult, unsafe and inconvenient to manoeuvre a bicycle up and down the stairs given the above constraints. Resultantly, the cycle storage does not ensure a safe access for cycles.
7. The proposed waste collection for the new residential use would involve the waste bags being situated on the pavement as there is no mechanism or storage space to house wheely refuse bins within or outside of the building. Nothing explicit has been detailed within Class MA surrounding refuse storage, however the suggested solution of waste bags on the pavement could potentially result in an inhibited free flow of pedestrians given its narrow width and their placement. The placement of refuse sacks on the side of the pavement for the period of one evening once a week would be a temporary situation much like a refuse bin. Even if a lack of harm could be identified, this does not take away from the harm identified by virtue of the cycle parking. In this regard therefore, the scheme would not comply with Paragraph MA.2 (2)(a) of Class MA, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) which relates to transport impacts with particular regard to ensure safe site access.

National Described Space Standards (NDSS)

8. It has been agreed by the main parties that the resultant dwelling would consist of a two-bedroom, three-person flat spanning two floors. There is a minor discrepancy between the two total gross internal area (GIA) figures calculated.
9. From the guidance given when using the space standards, there is nothing to suggest one should discount the entrance hall. The standards define the GIA as the total floor space measured between the internal faces of perimeter walls, which includes areas such as staircases. The area is part of the application site and within the internal faces of the perimeter walls. Moreover, it is still a primary part of the building to allow through access in and out of the dwelling. Additionally, the development would accord with the other technical requirements detailed within the NDSS. Therefore, there is no reason to not accept the higher GIA figure.
10. The proposal would thus comply with Paragraph (9A)(b) of Article 3 in the GPDO which relates to development being in accordance with the NDSS to provide appropriately sized dwellings.

Conclusion and Recommendation

11. Whilst proposal would accord with the NDSS and provide an appropriate amount floor space, the scheme would not provide sufficient cycle parking which would have unacceptable transport impacts for the development. For the reasons given above, the appeal scheme would not comply with the conditions set out under MA (2) of the GPDO. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR