
Appeal Decision

Site visit made on 30 September 2025

by **P N Jarratt BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 October 2025

Appeal Ref: APP/T0355/C/24/3340436

Wenzel's the Bakers, 133 Peascod Street, WINDSOR, SL4 1DW

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Wenzel's the Bakers Ltd against an enforcement notice issued by the Royal Borough of Windsor and Maidenhead.
 - The notice was issued on 13 February 2024.
 - The breach of planning control as alleged in the notice is without planning permission, alterations to shopfront.
 - The requirements of the notice are to:
 - (a) Remove the glazed shop front identified in the image marked AJH1 attached to the notice.
 - (b) Following compliance with step (a) re-instate the shopfront identified in drawing 8619-000 and titled 'existing plan and shopfront ' as attached to the notice.
 - (c) Following compliance with step (b) repaint the stone and timber surrounds in the same colour as identified in the image within drawing 8619-000 and titled 'existing plan and shopfront, as attached to the notice.
 - The period for compliance with the requirement is 28 days.
 - The appeal is proceeding on the ground] set out in section 174(2) (a), (c), (e) and (f) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Applications for costs

2. An application for costs has been made by the appellant against the Council. This is the subject of a separate decision.

Preliminary Matters

3. The appellant makes various statements about the Council and its officers in respect of the unauthorised development that extend well beyond the boundaries of what is reasonably relevant to this appeal. I have considered the grounds of appeal on the facts before me insofar as they are materially relevant.

Reasons

The appeal on ground (e)

4. An appeal on this ground is that the notice was not properly served. The appellant states that the enforcement notice was received by the correct freeholder and Lessee but it is alleged that the signature has been falsified by someone other than

Mr Beavis whose name appears on the notice. He subsequently recalled that the name referred to as Brian Benzie, an enforcement officer.

5. The basis of this allegation is unclear as the notice was signed by the Council's authorised officer, Adrien White, Assistant Director of Planning and there is no record of an employee named Beavis.
6. I am satisfied that the notice was served correctly in accordance with s329. Accordingly, the appeal on this ground fails.

The appeal on ground (c)

7. An appeal on this ground is that there has not been a breach of planning control but the appellant fails to provide any coherent reason that the development does not require planning permission or that permission has been granted by express or deemed permission.
8. The works carried out represent works as defined in s55 for which no permission exists.
9. The appeal on this ground fails.

The appeal on ground (a)

10. An appeal on this ground is that planning permission should be granted for what is alleged in the notice.
11. I note that planning permission was applied for retrospectively for "alterations to the shop front including new and replacement signage to the front and rear elevations and the installation of rear-mounted air conditioning units" and was refused on 31 January 2023 (22/01535/FULL).
12. The main issue is the impact of the development on the significance of the Windsor Town Centre Conservation Area as a designated heritage asset. It is in a highly sensitive area due to its proximity to Windsor Castle. The appeal property is a semi-detached shop in a traditional narrow form in a prominent position within the setting of listed buildings. It is a modern building with unsympathetic windows to the first floor but the previous shopfront had been designed with many historic characteristics such as a recessed door and visible joints between panes giving the impression of mullions.
13. The appeal property is in Zone 2 as identified in the guidance document "Shopfronts and Advertisements in Windsor Town Centre Conservation Area". Modern replacement shopfronts which do not make a positive contribution to the character and appearance of the Conservation Area are unacceptable.
14. The fascia tray is increased in height towards the first floor windows, unbalancing the design of the building through it being over dominant in the street scene. The removal of the recessed door and installation of modern sliding doors flush with the window results in a non-traditional, characterless shopfront that fails to conserve or enhance the character or appearance of the conservation area.
15. No Heritage Statement has been submitted with the appeal although the appellant contests this and refers to the Design and Access Statement which was submitted in connection with the refused application. A Heritage Statement is required to satisfy to Policy HE1 of the Royal Borough of Windsor and Maidenhead Local Plan.

16. Paragraph 213 of the National Planning Policy Framework (the Framework) indicates that any harm to, or loss of significance of a designated heritage asset, should require clear and convincing justification. That has not been achieved in this appeal.
17. The appellant is of the opinion that the building is a modern building offering no heritage asset or contribution to the setting of Peascod Street and the development of a new shopfront causes no harm to the street scene or to Windsor Castle. Whilst the architectural merits of the existing building are minimal, this does not provide a justification for introducing a new shopfront that is inappropriate in its setting. The appellant has submitted considerable information and photographs of other buildings in the street and I appreciate that some of these only provide a limited or a neutral contribution to the character and appearance of the conservation area. Additionally, the appellant draws attention to a sign in Peascod Street made of non-traditional materials, which in my view is entirely appropriate in its setting.
18. The appellant refers to a new Wenzel's shopfront in the same materials installed in a Grade II listed building in a conservation area in Uxbridge, but that is not of concern to this appeal as the impact of development is very specific and closely related to its immediate environment. What may be acceptable in one place is not necessarily appropriate in another.
19. Although the effect of the development has led to less than substantial harm in the context of paragraph 215 of the Framework, the development offers little in public benefit weighing against this harm, other than the provision of automatic doors to assist disabled persons. Whilst this is an important factor and some support for the improved accessibility to the shop has been expressed, no evidence has been shown to examine what other door arrangements may have been possible that would have been more appropriate in the street scene.
20. The unauthorised shopfront causes harm to the character and appearance of the conservation area contrary to Policies QP1, QP3 and HE1 of the adopted local plan and to the Framework.
21. The appeal on this ground fails.

The appeal on ground (f)

22. An appeal on this ground is that the steps required to comply with the requirements of the notice are excessive and lesser steps would overcome the objections.
23. The appellant recommends one lesser step or amendment through the provision of a natural stone or granite finish between the shopfront and the street paving. However, this would not overcome the harm to a designated heritage asset that the development has caused.
24. The purpose of the requirements of a notice is to remedy the breach by discontinuing any use of the land or by restoring the land to its condition before the breach took place or to remedy an injury to amenity which has been caused by the breach. It is necessary for the requirements to match the matters alleged and therefore I consider that the requirements of the notice in this case do not exceed what is necessary to remedy the breach.
25. The appeal on this ground fails.

Conclusion

26. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended)

P N Jarratt

INSPECTOR