

## PLANNING APPEALS

### LIST OF APPEALS SUBMITTED BETWEEN 3 NOVEMBER AND 30 NOVEMBER 2017

<u>Planning Application Number</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
17/00201/HOU	APP/Z3635/D/17/3184216	5 Upper Halliford Road Shepperton	Creation of vehicle access	03/11/2017
17/00365/FUL	APP/Z3635/W/17/3176212	Hamiltons Pitch Sheep Walk Shepperton	Retention of existing hardstanding, temporary standing of two residential caravans, associated vehicles and equipment, and tipping of top soil to enable landscaping.	09/11/2017
17/00976/HOU	APP/Z3635/D/17/3184600	19 Commercial Road Staines-upon-Thames	Erection of roof alterations to include two side facing dormers.	09/11/2017

### APPEAL DECISIONS RECEIVED BETWEEN 3 NOVEMBER AND 30 NOVEMBER 2017

<b>Site</b>	London Irish Rugby Football Club The Avenue Sunbury On Thames
<b>Planning Application No.:</b>	16/01357/FUL
<b>Proposed Development:</b>	(Replacement of 4 no. detached 5 bedroom dwellings and) construction of 24 no. flatted residential units, parking, landscaping and associated works.
<b>Appeal Reference:</b>	APP/Z3635/W/17/3175192

<b>Appeal Decision Date:</b>	03/11/2017
<b>Inspector's Decision</b>	The appeal is allowed and a partial award against the Council granted.
<b>Reason for Refusal</b>	The proposed development, which is in a prominent location when entering the site through the southern access via The Avenue, would, by reason of the location and the scale, massing and height of the building, represent an overdevelopment of the site which would be out of character with and have an unacceptable impact on, the surrounding locality and would fail to make a positive contribution within the street scene, contrary to Policy EN1(a) of the Council's Core Strategy and Policies DPD 2009.
<b>Inspector's Comments:</b>	<p><u>Planning Application</u></p> <p>The Planning Inspectorate determined that the main issues were the effect of the development on the character and appearance of the area and the provision of affordable housing.</p> <p>The Inspector acknowledged that the site has been largely redeveloped for housing and that the character of the area was that of a modern housing site. He concluded that the proposed building would appear as an overly large block, compared with the surrounding residential development. Whilst the architectural detailing would help break up the mass of the roof and the building as a whole, it would nevertheless appear overtly dominant.</p> <p>In coming to this view he acknowledged that the overall harm was not significant, but was contrary to Policy EN1 of the Core Strategy.</p> <p>The Inspector recognized the need for affordable housing and identified the agreement for a financial contribution which was in place. He therefore concluded that the proposal met Policy HO3 of the Core Strategy.</p> <p>However, the Inspector acknowledged that the Council does not have 5 year land supply and therefore the National Planning Policy Framework must carry significant weight regarding the granting of planning permission, unless the adverse impacts significantly and demonstrably outweigh the benefits.</p> <p>Although the Inspector recognized that the development would give rise to some harm and that the environmental benefits were limited, he concluded that there was significant social benefit from the provision of housing, given the shortfall in the Council's 5 year land supply.</p> <p>Taking all matters into consideration the Inspector allowed the appeal.</p>

Costs Application

The Inspector determined that no unreasonable behavior occurred in respect of the decision that the proposal was contrary to Policy EN1 of the Core Strategy and that the process coming to this decision was reasonable.

However, he concluded that inadequate consideration was given to balancing the requirements of the National Planning Policy Guidance regarding the provision of housing and as result caused the appellant unnecessary expense.

As a result, unreasonable behavior, as described in the PPG, had been demonstrated and therefore a partial award of costs was justified.

**FUTURE HEARING / INQUIRY DATES**

<b>Council Ref.</b>	<b>Type of Appeal</b>	<b>Site</b>	<b>Proposal</b>	<b>Case Officers</b>	<b>Date</b>
16/00972 /FUL	Public Inquiry	Former Brooklands College, Church Road, Ashford	Planning application for the redevelopment of the site comprising the demolition of the existing buildings and the construction of new buildings between one and six storeys to accommodate 366 dwellings (use class C3), 619 sq. m (GIA) of flexible commercial floorspace (use classes A1, A2, A3, A4, A5, B1(a)) and 442 sq. m (GIA) of education floorspace (use class D1), provision of public open space and associated car parking, cycle parking, access and related infrastructure and associated works.	PT/ KW	20-23 February 2018
16/00323 /ENF/A	Public Inquiry	Land rear of Gleneagles Close, Stanwell	The material change of use of the land from agricultural land to a timber and fencing builder's merchants/business with associated storage of materials in connection with that use.	RJ	TBA

Council Ref.	Type of Appeal	Site	Proposal	Case Officers	Date
17/00365 /FUL	Hearing	Hamiltons Pitch Sheep Walk Shepperton	Retention of existing hardstanding, temporary standing of two residential caravans, associated vehicles and equipment, and tipping of top soil to enable landscaping.	PT	23/01/2017