

PLANNING APPEALS

LIST OF APPEALS SUBMITTED BETWEEN 18 MAY AND 12 JULY 2018

Planning Application Number	Inspectorate Ref.	Address	Description	Appeal Start Date
17/01322/FUL	APP/Z3635/W/18/3194902	Sans Souci 35 Hamhaugh Island Shepperton	Erection of replacement dwelling following demolition of existing.	11/06/2018
17/01861/HOU	APP/Z3635/D/18/3202897	24 Darby Crescent Sunbury On Thames	Erection of a single storey side extension following removal of existing garage, a loft conversion and extension to create a habitable first floor, including the installation of two dormers within the front and rear elevations, a hip-to-gable alteration and the raising of the ridge, and alterations to openings in the northern flank elevation.	03/07/2018
16/01979/FUL	APP/Z3635/W/18/3195014	50, 52 And 54 High Street Staines-upon-Thames	Conversion and extension of the first and second floor and erection of new third floor to create 10 no. 1 bed flats and 1 no. 2 bed flat.	09/07/2018

APPEAL DECISIONS RECEIVED BETWEEN 18 MAY AND 12 JULY 2018

Site	80 Edgell Road, Staines-upon-Thames
Planning Application No.:	17/01778/HOU
Proposed Development:	Erection of a single storey rear extension and roof alteration including side facing dormer to facilitate accommodation in roofspace
Reasons for Refusal	The proposal by reason of its scale, location and design would appear bulky and visually obtrusive in the street scene. It would also harm the proportions and symmetry with the adjoining property which would be

	<p>detrimental to the street scene and character of the area, contrary to policy EN1 of the Spelthorne Local Development Framework Core Strategy and Policies Development Plan Document 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.</p> <p>The proposed single storey rear extension would due to its scale and design result in unacceptable loss of light and an overbearing impact, contrary to policy EN1 of the Spelthorne Local Development Framework Core Strategy and Policies Development Plan Document 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.</p>
Appeal Reference:	APP/Z3635/D/18/3199804
Appeal Decision Date:	25/06/2018
Inspector's Decision	Split Decision. Loft conversion with roof alterations and dormers dismissed. Single Storey rear extension allowed.
Inspector's Comments:	<p>The Inspector noted that the appeal property was located at the end of a row of similar properties, arranged in pairs with central gables spanning both dwellings giving a balanced appearance. He considered the design would incorporate fairly steep pitches around a fairly large flat roofed area, resulting in noticeable additional bulk in comparison with the existing dual pitch roofs. In addition he considered the dormer projections would add further bulk and would be a fairly unusual feature, tending to highlight the undue prominence and incongruous presence of the addition. Rather than being subordinate and sympathetic, he considered the resulting roof form would be particularly bulky, while being excessive in scale with abruptly contrasting form and proportions to the front gable. In consequence, the addition would unacceptably compete with the front gable, rather than maintaining its dominance.</p> <p>Overall he considered that the visually obtrusive presence of the unsympathetic design would result in the repetitive character of the group of dwellings being disrupted. It would also unbalance the appearance of the pair of properties harming the street scene and the character of the area.</p> <p>The Inspector disagreed that the proposed single storey rear extension would cause any significant loss of light, and did not consider that the extension would result in such an oppressive sense of enclosure that it would appear overbearing.</p>

Site	Heathrow Fencing, Gleneagles Close, Stanwell.
Planning Enforcement No.:	18/00013/ENF
Planning Breach	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.
Reasons for serving the Enforcement Notice	<p>The use of the Land as a timber and fencing builder's merchant with associated storage does not preserve the openness of the Green Belt and represents inappropriate development therein.</p> <p>The Council is not aware of any very special circumstances to justify the use of the Land as a timber and fencing builder's merchants with associated storage contrary to 'saved' policy GB1 of the Spelthorne Borough Local Plan 2001 and Section 9 (Protecting the Green Belt) of the National Planning Policy Framework.</p> <p>The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.</p>
Appeal Reference:	APP/Z3635/C/17/3174752
Appeal Decision Date:	29/06/2018
Inspector's Decision	The appeal succeeds in part and permission for that part is granted, but otherwise the appeal fails, and the enforcement notice as varied is upheld.
Inspector's Comments:	<p>This was a complicated matter and the Inspectors decision covered 37 pages.</p> <p>The appellant confirmed that it no longer sought a permanent permission for the whole of the unauthorised development. Instead, it sought a two year temporary planning permission.</p> <p>In the event this appeal was not successful then it proposed a lesser scheme of permanent permission for part of the site, the U shaped buildings and their immediate curtilage, together with an access road across the land to those buildings from Gleneagles Close.</p> <p>The Inspector considered the case made on ground (a) for the grant of a temporary permission, she reached the conclusion that it could not be reasonably expected that planning circumstances would change at the end of a temporary two year period. Similarly, an extension of the compliance period could not be justified on that basis.</p>

The Inspector regarded the potential for any non-Green Belt harm, she considered that, subject to the imposition of appropriate planning conditions, the external manifestations of the re-use would be restricted and the impact on the character and appearance of the countryside would be limited.

The Inspector directed that the appeal is allowed insofar as it relates to the lesser scheme and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the change of use of the land from agricultural land to a timber and fencing builders merchants/business with associated storage of materials in association with that use subject to conditions.

The Inspector concluded that the appeal should succeed in part only, planning permission was granted for one part of the matter the subject of the enforcement notice, but otherwise she upheld the notice with variations and refused to grant planning permission on the other part.

The appellant has 24 weeks to comply with the enforcement notice.