

## PLANNING APPEALS

### LIST OF APPEALS SUBMITTED BETWEEN 8 OCTOBER AND 3 NOVEMBER 2016

<u>Planning Application/Enforcement Notice</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
16/00890/HOU	APP/Z3635/D/16/3157735	38 Vereker Drive Sunbury On Thames.	Erection of a two storey rear extension.	21/09/2016
15/01620/HOU	APP/Z3635/W/16/3157687	35 Avondale Avenue, Staines-upon-Thames.	Erection of single storey rear extension and enlarged conservatory. Erection of new roof with higher ridge height and 6 no. side facing dormers to provide accommodation in the roof space.	17/10/2016
16/00840/T56	APP/Z3635/W/16/3157703	Highway Verge Worple Road, adjacent to corner of Hurstdene Avenue, Staines	Installation of a 12.5m telecommunications dual user replica telegraph pole and 1 no. equipment cabinet.	17/10/2016
16/00444/FUL	APP/Z3635/W/16/3158310	132 Viola Avenue Stanwell	Erection of part single storey/ part two storey rear extension to facilitate the change of use of existing dwellinghouse to two self-contained flats.	26/10/2016
16/00460/FUL	APP/Z3635/W/16/3158714	81 Garrick Close Staines-upon-Thames.	Insertion of kitchen extraction system and change of use from Use Class A1 (Retail) to Use Class A5 (hot food takeaway).	26/10/2016
16/00890/HOU	APP/Z3635/D/16/3157735	38 Vereker Drive Sunbury On Thames.	Erection of a two storey rear extension	26/10/2016

16/00904/FUL	APP/Z3635/W/ 16/3159369	Rear Of 52 Nursery Road Sunbury On Thames	Proposed conversion of annex building to a two bedroomed two storey house.	26/10/2016
16/00194/FUL	APP/Z3635/W/ 16/3158479	418 Staines Road West Ashford.	Erection of a single storey dwellinghouse with basement	26/10/2016
16/00730/HOU	APP/Z3635/W/ 16/3158137	95 Worples Avenue Staines-upon- Thames	Erection of a first floor rear extension above the existing extension.	26/10/2016
16/00970/HOU	APP/Z3635/D/1 6/3158725	22 Broomfield Sunbury On Thames	Erection of detached summer house/log cabin to rear.	01/11/2016

**APPEAL DECISIONS RECEIVED BETWEEN LIST OF APPEALS SUBMITTED  
BETWEEN 9 SEPTEMBER AND 3 NOVEMBER 2016**

<b>Site</b>	72 Charles Road, Staines
<b>Enforcement no.:</b>	15/00127/ENF.
<b>Breach of Planning Control:</b>	Unauthorised use of an outbuilding in the rear garden of the dwellinghouse for primary living accommodation
<b>Appeal Reference</b>	APP/Z3635/C/15/3140643
<b>Appeal Decision Date:</b>	21/09/2016
<b>Inspector's Decision</b>	The Enforcement notice is void. The application for an award of costs against the Council is refused.
<b>Reasons for serving the Enforcement Notice</b>	Use of the outbuilding for primary habitable purposes results in an unacceptable level of noise and disturbance to adjoining residential properties and has a detrimental impact on the amenity and enjoyment of their houses and gardens, contrary to policies EN1 and EN11 of the Core Strategy and also the Council's SPD on new residential development.

<b>Inspector's Comments:</b>	<p>The Inspector commented that the detailed wording of the enforcement notice was incorrectly framed and he concluded that the enforcement notice was a nullity on a technical ground. The applicant applied for an award of costs against the Council. The PPG advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. However the Inspector considered that unreasonable behaviour on the part of the Council resulting in unnecessary or wasted expense, as described in the PPG, had not been demonstrated by the Applicant's costs application. He therefore dismissed the application.</p>
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#### **FUTURE HEARING / INQUIRY DATES**

<b>Council Ref.</b>	<b>Type of Appeal</b>	<b>Site</b>	<b>Proposal</b>	<b>Case Officer</b>	<b>Date</b>
16/00135 /FUL	Hearing	The Paddocks rear of 237 - 245 Hithermoor Road, Stanwell Moor	Siting of static mobile home for one family.	KW/LT	TBA