

**-PLANNING APPEALS**

**LIST OF APPEALS SUBMITTED BETWEEN 24 FEBRUARY AND 23 MARCH  
2017**

<b><u>Planning Application Number</u></b>	<b><u>Inspectorate Ref.</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Appeal Start Date</u></b>
16/01326/FUL	APP/Z3635/W/ 17/3168754	8 - 12 Clarendon Road Ashford	Demolition of existing buildings and erection of two no. 2 storey blocks comprising 10 flats (4 no. 1 bed and 6 no. 2 bed) together with associated parking and amenity space (amendment to PP ref 15/01106/OUT).	01/03/2017
16/00095/ENF	APP/Z3635/C/1 7/3166804	124 Hawthorn Way Shepperton	Enforcement notice concerning the unauthorised erection of a rear extension including balcony.	06/03/2017
16/00799/FUL		The Wendy Hut 57 Lower Hampton Road Sunbury On Thames	Erection of building for recreational purposes, following demolition of 3 existing buildings.	06/03/2017

**APPEAL DECISIONS RECEIVED BETWEEN 24 FEBRUARY AND 23 MARCH  
2017**

<b>Site</b>	Open Field At Junction Of Chertsey Road and Sheep Walk Shepperton
<b>Enforcement nos.:</b>	A. 16/00001/ENF. B. 16/00121/ENF
<b>Breach of Planning Control:</b>	A. Unauthorised development on the land, in particular (a) Two large metal posts concreted into the ground close to the boundary with Sheep Walk, these were large RSJ type posts of a height, strength and distance apart

	<p>to form and support a gate. (b) Surface material being scraped back for a distance of approx 200 metres to a width of approx 5 metres, resulting in a wide flat surface commensurate with a prepared route for a roadway (c) the resultant vegetation, soils and other debris were piled to the sides of the scraped area.</p> <p>B. Unauthorised development on the land in particular:</p> <ul style="list-style-type: none"> <li>- A metal framework, metal fence panels and gate constructed on previously erected and enforced against metal posts.</li> </ul>
<b>Appeal References:</b>	APP/Z3635/C/16/3151913 APP/Z3635/C/16/3151919
<b>Appeal Decision Date:</b>	21/03/2017
<b>Inspector's Decision</b>	<b>The appeals are dismissed and the enforcement notices upheld.</b>
<b>Reasons for serving the Enforcement Notice</b>	<p>The use of the site for this purpose represented inappropriate development in the Green Belt which detracted from its openness and for which no very special circumstances were considered to exist. The use was therefore contrary to saved Policy GB1 of the Spelthorne Borough Local Plan and guidance in the NPPF.</p> <p>The site is situated within an area liable to flood and its use for this purpose is considered contrary to policy LO1 of the Core Strategy and Policies DPD.</p>
<b>Inspector's Comments:</b>	<p>The Inspector commented that having taken into account all considerations raised in support, she found nothing sufficient either individually or cumulatively to clearly outweigh the harm to the Green Belt and other harm identified. There were thus no very special circumstances to justify this inappropriate development in the Green Belt. Furthermore, even if the gated access had been found not inappropriate as argued for the appellant, the significant harm to the character and appearance of the area in conflict with policy EN1 would, in itself, have been sufficient to warrant dismissing the appeals. That harm was not outweighed by other considerations so as to indicate that a decision otherwise than in accordance with the Development Plan would have been justified.</p> <p>The Inspector noted the Appellant's reference to the presumption in favour of sustainable development but having regard to the harm to the Green Belt and to the character and</p>

	<p>appearance of the area arising; the environmental dimension of such development was not met.</p> <p>The appeals were dismissed and the enforcement notices were upheld. Planning permission was refused on the applications deemed to have been made under section 177(5) of the 1990 Act as amended.</p>
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<b>Site:</b>	84 Groveley Road, Sunbury On Thames
<b>Planning Application no.:</b>	16/01790/HOU
<b>Proposed Development:</b>	Erection of a first floor extension to provide habitable accommodation, associated roof alterations including raising of the ridge height, re-cladding of existing outer brickwork with red brick, and alterations to ground floor windows.
<b>Appeal Reference:</b>	<b>APP/Z3635/D/17/3168028</b>
<b>Appeal Decision Date:</b>	21/03/2017
<b>Inspector's Decision</b>	<b>The appeal is dismissed</b>
<b>Reasons for refusal:</b>	The proposed works would have an unacceptable visual impact upon the character of the area, and would have a contrived appearance that would be incongruous within the street scene, and would be out of keeping with the character and design of dwellings in the surrounding locality. The proposal is therefore contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).
<b>Inspector's Comments:</b>	The inspector identified the main issue was the effect on the appearance of 84 Groveley Road and on the street scene. It was noted that the property contained a detached bungalow situated within a residential area. The inspector commented the existing bungalow is of simple appearance and modest scale, and sits comfortably amongst other dwellings that line Groveley Road. It was further commented that integral to appearance is the dwellings symmetrical roof form with a gable at the front and a pitched roof, with a ridge in the middle, set at right-angles to the road.

	<p>The Inspector noted the proposal would introduce an asymmetrical roof with the ridge off-set towards the side of the property and would include an extensive roof area sloping down to ground floor level. The Inspector commented the new roof, because of its considerable size and awkward and contrived form, would appear incongruous and detract from the appearance of the dwelling. It was further commented as the new roof would be prominent in views from the road, it would constitute a discordant and overly-assertive element in the street scene. The Inspector noted the proposed cladding and alterations to the fenestration would not mitigate this harm.</p> <p>It was commented that although the existing dwellings in the area are of different designs, heights and age, their roof forms, for the most part, are in keeping with their original size and appearance.</p> <p>The inspector concluded the proposal would have a harmful effect on the appearance of 84 Groveley Road and on the street scene. It was noted this conclusion brings the scheme into conflict with <i>Policy EN1: Design of New Development</i> of the <i>Spelthorne Core Strategy and Policies Development Plan Document (February 2009)</i> which is consistent with the contents of the <i>National Planning Policy Framework</i>. It is also at odds with the Council's <i>Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011)</i>.</p>
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#### FUTURE HEARING / INQUIRY DATES

Council Ref.	Type of Appeal	Site	Proposal	Case Officer	Date
16/00135/ FUL	Hearing	The Paddocks rear of 237 - 245 Hithermoor Road, Stanwell Moor	Siting of static mobile home for one family.	KW/LT	07/06/2017
16/00095/ ENF	Hearing	124 Hawthorn Way Shepperton	Enforcement notice concerning the unauthorised erection of a rear extension including balcony.	MCh/LT	06/06/2017