

PLANNING APPEALS

LIST OF APPEALS SUBMITTED BETWEEN 21 APRIL AND 13 JUNE 2017

<u>Planning Application / Enforcement Number</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
16/01803/FUL	APP/Z3635/W/17/3167116	31 Glebeland Gardens, Shepperton	Erection of two storey side extension to existing dwelling to create a one bedroom maisonette.	25/04/2017
16/00305/ENF	APP/Z3635/C/17/3173418	2 Wolsey Road, Ashford	The unauthorised erection of a building which is used as a separate dwelling without planning permission.	02/05/2017
17/00086/ADV	APP/Z3635	Magna House, 18 - 32 London Road, Staines-upon-Thames	Retention of illuminated freestanding totem sign.	24/05/2017
16/01941/FUL		Dockett Cottage Towpath Shepperton	Erection of a replacement 2 storey dwelling containing 3 bedrooms and a study together with associated alterations (existing dwelling, ancillary guesthouse and garage to be demolished).	30/05/2017
16/01940/T56		Petersfield Road Junction With Fenton Avenue, Staines-upon-Thames.	Removal of the existing 8m telegraph pole and installation of 10m alpha tower and pogona cabinet and associated development.	30/05/2017

16/01991/ADV	APP/Z3635/Z/ 17/3173169	Land Adjacent To Sunbury Shopping Centre, Staines Road West, Sunbury On Thames	Display of a free- standing double sided digital advertisement display and associated logo boxes with a maximum height of 17.15m	12/06/2017
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APPEAL DECISIONS RECEIVED BETWEEN 21 APRIL AND 13 JUNE 2017

Site	13 Hallows Grove, Sunbury On Thames
Planning Application no.:	16/01933/HOU,
Proposed Development:	Erection of 3 dormer windows in the side elevation in connection with the conversion of the roof space into habitable accommodation.
Appeal Reference:	APP/Z3635/D/17/3170289
Appeal Decision Date:	17/05/2017
Inspector's Decision	The appeal is dismissed
Reason for Refusal	It is considered that the proposed central dormer window by virtue of its scale, size and detailed design would be unduly obtrusive and would overdominate and detract from the appearance of the existing property. The development would also appear as an incongruous feature within the streetscene by virtue of the different sized and positioned dormers and would cause harm to the character of the area contrary to Policy EN1 of the Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).
Inspector's Comments:	The Inspector considered that the main issue was the effect of the proposal on the character and appearance of the host property and the locality. He stated that "the particular position of the appeal dwelling is a prominent one within the residential scheme and care needs to be taken in any planned alteration of the form of this dwelling along its widely visible flank roofscape." The Inspector felt that the proposed middle dormer would be "excessive in scale relative to the roof slope, to the wall below and to the window sizes found proximate". Consequently it would be visually uncomfortable in an architectural context where few if any other

	<p>dormers are found and the prominence would be so marked.” He concluded on this issue that “given the scale of this middle dormer and taken along with the other two which are proposed, and combine as an excessive roof alteration, the property would become ‘top-heavy’ and ungainly. The appeal scheme would be jarring on the eye and alien in the streetscene” and would be contrary to policy en1 and the Council’s SPD.</p> <p>.</p>
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Site	194A Laleham Road, Staines-upon-Thames
Planning Application no.:	15/01198/FUL
Proposed Development:	Installation of 36 no. roof vents, solar panels on roof of single storey element to rear of property, change centre window on first floor on east (front) elevation to an opening door and installation of balustrade to allow existing flat roof to be used as a terrace.
Appeal Reference:	APP/Z3635/W/16/3161522
Appeal Decision Date:	19/05/2017
Inspector’s Decision	The appeal is dismissed
Reason for Refusal	The proposed retention of the roof vents, by virtue of the number of vents, their projection and location across the entire roof area are considered to give rise to an unsightly and messy appearance that is detrimental to the character and appearance of the area and the host building. As such, this is contrary to Policy EN1 of the Spelthorne Core Strategy & Policies DPD (April 2009).
Inspector’s Comments:	The Inspector considered the main issue is the effect of the development on the character and appearance of the area. He commented that “the roof vents are a noticeable feature on the building when looking along Laleham Road from the north-west and also from Grosvenor Road. Given the number of the vents and their projection from the top of the roof they appear as an alien and unsightly feature to the detriment of the appearance of the host building. Consequently, the development does not have a high standard of design nor does it present an attractive distinct identity to the building”. As a consequence, he concluded that the roof vents “would lead to unacceptable harm to the character and appearance of the host building and the surrounding area contrary to Policy EN1.”

Site	8 - 12 Clarendon Road, Ashford
Planning Application no.:	16/01326/FUL
Proposed Development:	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).
Appeal Reference:	APP/Z3635/W/17/3168754
Appeal Decision Date:	26/05/2017
Inspector's Decision	The appeal is allowed
Reason for Refusal	The proposal represents an overdevelopment of the site with an unacceptably large building footprint within the confines of the site, and a shallow rear garden area which provides an inadequate quality of amenity space. The proposal will lead to a poor standard of amenity for future occupiers and is contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies DPD 2009, and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (April 2011).
Inspector's Comments:	<p>The Inspector acknowledged that the proposed building footprint was only marginally smaller than the previous dismissed appeal scheme (12/01236/FUL). However, he considered that the proposed site layout allowed for a much greater area of usable amenity space to the rear. Consequently, he concluded that the proposal would not appear out of character within the surrounding area.</p> <p>With regard to the living conditions of future occupiers, the Inspector considered that the proposed amenity space comprising 300 sq.m would be significantly larger than the amenity space associated with the previous dismissed appeal. He commented that the proposed amenity space would be 79 sq. m above what would be required by the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development 2011. He therefore concluded that the proposal would provide a sufficient quantity and quality of amenity space to serve the future occupants of the flats</p>

Site	103 London Road, Staines-upon-Thames
Planning Application no.:	16/00638/FUL
Proposed Development:	Erection of an additional floor level to the previously approved scheme (13/01021/FUL) to provide 1 no. two bedroom apartment.
Appeal Reference:	APP/Z3635/W/16/3165115
Appeal Decision Date:	01/06/2017
Inspector's Decision	The appeal is allowed.
Reason for Refusal	The proposed development by virtue of its size, bulk and location would provide an incongruous form of development that would be out of character and detrimental to the visual appearance of the area and the residential amenity of the surrounding dwellings, contrary to Policy EN1 of the CS&P DPD (2009).
Inspector's Comments:	<p>The Inspector considered there were two main issues; the effect of the proposal upon the character and appearance of the area and secondly, the effect of the proposal on the living conditions of the occupiers the adjoining flats with particular regard to outlook.</p> <p>On the first issue, the Inspector felt the proposal would create an attractive building, producing further interest to the character of the existing approved structure and surrounding area and the proposal would have a beneficial impact upon the character and appearance of the area.</p> <p>In relation to the second issue, the Inspector felt that the proposal would have an acceptable effect upon on the living conditions of the occupiers the adjoining flats. In this respect the proposal would also comply with DPD Policy EN1 as there would be a satisfactory relationship between the proposed and adjoining properties. This would also comply with the requirement in paragraph 17 of the Framework to secure a good standard of amenity for all existing and future occupants of land and buildings.</p>

Site	The Wendy Hut, 57 Lower Hampton Road, Sunbury On Thames
Planning Application no.:	16/00799/FUL

Proposed Development:	Erection of building for recreational purposes, following demolition of 3 existing buildings.
Appeal Reference:	APP/Z3635/W/17/3169087
Appeal Decision Date:	05/06/2017
Inspector's Decision	The appeal is dismissed
Reason for Refusal	<p>The proposed development represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will result in the site having a more urban character, will diminish the openness of the Green Belt and conflict with the purpose of including land within it. It will also project closer to the river frontage than the existing buildings. The proposal is therefore contrary to the National Planning Policy Framework 2012, Policy EN2 of the Core Strategy and Policies DPD and Saved Local Plan Policy GB1.</p> <p>The Flood Risk Assessment submitted with this application does not comply with the requirements set out in the National Planning Policy Framework and the associated National Planning Practice Guidance, it does not provide a suitable basis for an assessment to be made of the flood risk and does not demonstrate that the development will not increase flood risk elsewhere. As such the proposal is considered to be contrary to the National Planning Policy Framework 2012, Policy LO1 of the Core Strategy and Policies DPD and the Supplementary Planning Document of Flooding.</p>
Inspector's Comments:	<p>The Planning Inspector considered that the main issues were:</p> <p>“(i) whether the proposal would be inappropriate development in the Green Belt; (ii) the effect on the openness of the Green Belt; (iii) whether or not the proposal would not be at risk of flooding or increase the risk of flooding elsewhere; and (iv) if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.”</p> <p>The Inspector concluded that the development would lead to a loss of Green Belt openness and would therefore “constitute inappropriate development impacting on the Green Belt purpose of safeguarding the countryside”. He felt that there was no very special circumstances that would outweigh the harm to the green belt and is contrary to the NPPF Policy EN2 and saved Policy GB1.</p>

	<p>In flood risk issue the Inspector considered that the proposal would be contrary to policy LO1 as it would not result in an unacceptable flood risk to the future occupants of the development and that it would not increase flood risk elsewhere.</p>
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