



Planning Committee

21 July 2021

**Planning Appeals Report – V2.0 ISSUED**

**List of Appeals Started between 10 June 2021 – 09 July 2021**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
21/00188/FUL  <b>The Swan Inn, 16 - 18 High Street, Stanwell</b>	24.06.2021	Written Representation	APP/Z3635/W/21/3273070 Retrospective application for the siting of an InPost Locker

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20/00887/FUL  <b>67 Staines Road East, Sunbury On Thames, TW16 5AA</b>	24.06.2021	Written Representation	APP/Z3635/W/21/3269589  The erection of a two storey side extension comprising a 1 bedroom dwelling with associated parking and amenity space, following the subdivision of the plot and the change of use of the rear parking area
21/00223/CPD  <b>28 Ash Road, Shepperton, TW17 0DN</b>	28.06.2021	Written Representation	APP/Z3635/X/21/3275492  Certificate of Lawfulness development for proposed erection of a single storey detached outbuilding at the rear.
20/00643/FUL  <b>1 The Creek, Sunbury on Thames, TW16 6BY</b>	07/07/2021	Written Representation	APP/Z3635/W/21/3268858  Retrospective application for the retention of a replacement 4 bedroom detached dwelling to allow the undertaken alterations to footprint, roof design and fenestration of the dwelling, and also alterations to the flood voids, additional walls and steps which vary from the approved planning permission ref. 17/01464/FUL. Retention of a boathouse and other alterations.

**Appeal Decisions Received 10 June 2021 – 09 July 2021**

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
20/00350/RVC  <b>25 Church Street, Staines-upon-Thames, TW18 4EN</b>	10.11.2020	Written Representation	APP/Z3635/W/20/3260608 Variation of condition 4 (hours of opening) of p/a 19/00042/FUL (Change of use of ground floor office (Class B1) to takeaway (Class A5) and installation of extractor fan and flue) to allow longer opening hours (as shown on plan no. HABIB/PLAN/001 and Location plan rec'd 18.03.2020)	Appeal Dismissed	15.06.2021	The Inspector found that the opening hours approved by the Council under condition No.1 of planning permission 20/00350/RVC are reasonable and necessary. He considered that the longer opening hours, as proposed by the Appellant, would result in additional noise and disturbance leading to significant harm to the living conditions of the occupants of nearby residential properties in Church Street contrary to Policy EN11 of the Spelthorne Core Strategy & Development Plan Document.

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20/00753/FUL  <b>97 Village Way, Ashford, TW15 2JY</b>	14.01.2021	Written Representation	APP/Z3635/W/20/3263055 Erection of part two storey part single storey side and rear extensions and roof extension including increase in ridge height and installation of rear and side facing dormers. Land lowering to allow recessed single storey extension. New boundary fence along northern boundary and cycle store. Conversion of property into 4 no flats.	Appeal Dismissed	18.06.2021	The Inspector noted that the significant uplift in density resulting from the proposal would result in the potential for up to 4 independent and unrelated households to occupy the site, up to a maximum of 14 people. He considered this would cause a very significant intensification of the use of the site, which would be materially at odds with the single-family housing-type level of occupancy which is prevalent in the local area.  He also noted that hedging is present

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						<p>either side of the vehicular access way to the front of the site, which is in-keeping with many nearby properties and is important in its contribution to the appearance of the street scene. However, a noticeable proportion of the hedge to the front of the site would be removed via the proposal, which he considered would harm the appearance of the area.</p> <p>The proposal was considered to have an unacceptable and harmful effect on the character and appearance of the surrounding area, conflicting with Policies EN1 and HO5 of the DPD which collectively provide that, amongst other things, proposals</p>

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						for new development should respect and make a positive contribution to the street scene and the character of the area in which they are situated.
19/01651/FUL  <b>Land To Rear Of 39-51 High Street, Stanwell, Staines-upon-Thames TW19 7LJ</b>	14.01.2021	Written Representation	APP/Z3635/W/20/3263544 Erection of a pair of two no. semi-detached dwellings with associated amenity space and parking.	Appeal Dismissed	17.06.2021	The main issue is the effect of the proposal on the living conditions of the intended future occupiers of the scheme, The Inspector concluded that the proposal would have an unacceptable and harmful effect on the living conditions of the intended future occupiers of the scheme, with respect to the provision of internal space, bedroom widths, the provision of private amenity space, and parking. It would conflict with Policy EN1, the SPD and guidance

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						contained in the National Technical Housing Space Standards.
20/00565/FUL  <b>Ruxbury Court, Cumberland Road, Ashford</b>	06.04.2021	Written Representation	APP/Z3635/W/20/3265106 Alterations and extensions to Blocks B and C of Ruxbury Court, including alterations and extensions to the roof, to enable the creation of 3 x 1 bedroom units and 1 x 2 bedroom unit with associated parking and amenity space.	Appeal Dismissed	02.07.2021	The Inspector considered that the main issue was the effect of the appeal proposal upon the character and appearance of the area.  It was noted that Cumberland Road contains a mix of dwelling types. However, the dwellings are predominately 1 and 2 storeys in height, with a number of bungalows located opposite the site.  The Inspector also noted that several nearby properties have

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						<p>created additional accommodated at roof level through permitted development rights, although they continue to present as two storey dwellings. It was further commented that two storey properties predominate the area, with not many 3 or 4 storey buildings in the wider locality.</p> <p>The Inspector considered that there would be a significant and very noticeable increase in height, greatly increasing bulk and mass.</p> <p>The additional storeys were considered visually overbearing and as Block A would not be extended, the development as a whole would lack cohesiveness.</p>

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						<p>The Inspector therefore found the development to be contrary to policy EN1 and the NPPF in design terms.</p> <p>The provision of four additional dwellings to the Council's Housing supply was not considered to outweigh the harm associated with the scheme and the appeal was dismissed.</p>
<p>20/01054/HOU</p> <p><b>The Coach House, 180 Chesterfield Road, Ashford</b></p>	05.05.2021	Fast Track Appeal	APP/Z3635/D/21/3269975 Erection of a first floor side extension.	Appeal Dismissed	28.06.2021	<p>The Inspector considered that the main issue was the effect of the appeal proposal upon the character and appearance of the area.</p> <p>It was noted that Cumberland Road contains a mix of dwelling types. However, the dwellings are</p>

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						<p>predominately 1 and 2 storeys in height, with a number of bungalows located opposite the site.</p> <p>The Inspector also noted that several nearby properties have created additional accommodated at roof level through permitted development rights, although they continue to present as two storey dwellings. It was further commented that two storey properties predominate the area, with not many 3 or 4 storey buildings in the wider locality.</p> <p>The Inspector considered that there would be a significant and very noticeable increase in height,</p>

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						<p>greatly increasing bulk and mass.</p> <p>The additional storey's were considered visually overbearing and as Block A would not be extended, the development as a whole would lack cohesiveness.</p> <p>The Inspector therefore found the development to be contrary to policy EN1 and the NPPF in design terms.</p> <p>The provision of four additional dwellings to the Council's Housing supply was not considered to outweigh the harm associated with the scheme and the appeal was dismissed.</p>

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20/01576/HOU <b>181 Elizabeth Avenue, Staines-upon-Thames, TW18 1JN</b>	03.06.2021	Written Representation	APP/Z3635/D/21/3272490 Retention of boundary fence and the erection of an additional fence and gates.	Appeal Dismissed	07.07.2021	<p>The inspector considered that the appeal property is located in a prominent position at the end of Elizabeth Avenue where the road curves.</p> <p>It was noted that frontages in this part of Elizabeth Avenue are characterized by grassed verges and planting. Houses to the south and west are set well back from the roadside with grassed areas between them.</p> <p>The Inspector considered that the proposed fence due to its height, solidness and proximity to the highway represents an oppressive feature distinctly at odds with the prevailing character.</p>

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						<p>Other fences in the area were noted. However, the Inspector considered that the proposal failed to make a positive contribution to the street scene and would be visually harmful and would be contrary to policy EN1. The appeal was therefore dismissed.</p> <p>The Inspector also noted Human Rights protocol.</p>