

PLANNING APPEALS

LIST OF APPEALS SUBMITTED BETWEEN 4 DECEMBER AND 17 DECEMBER 2015

<u>Planning Application/ Enforcement No.</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
15/00098/PLNCON	APP/Z3635/C/15/3136634	22 Thames Meadow, Shepperton	The unauthorised residential use of the boat, land and mooring and storage of vehicles, white goods, building materials and general debris on Green Belt land without planning permission.	03/12/2015
12/00246/ENF	APP/Z3635/C/15/3140328	48 Park Road, Ashford		15/12/2015

APPEAL DECISIONS RECEIVED BETWEEN 4 DECEMBER AND 17 DECEMBER 2015

Site	Land To The North of Chertsey Road, Shepperton
Planning Application Number:	14/01611/FUL
Appeal Reference	APP/Z3635/W/15/3051152
Appeal Decision Date:	23 November 2015
Inspector's Decision	The appeal is dismissed.
Proposal	Erection of stables with feed and tack store. Provision of new access to Chertsey Road (opposite Fairford) and associated roadway.
Reasons for refusal	The 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 purposes of including land within it. It is therefore contrary to Policy GB1 of the Spelthorne Borough Local Plan 2001 and Section 9 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 2012.
Inspector's Comments	<p>The Inspector considered that the proposed stable building comprising 8 stable units and a substantial food and tack store was excessive in size in relation to the size of the overall site. In particular, he concluded that the stables and food/tack store area were larger than reasonably required for the use, and that the facility did not constitute an "appropriate facility" within the terms of Green Belt policy in the National Planning Policy Framework. He also considered that the proposed access road in terms of its length and width would have a more developed and urbanised appearance to the site. Moreover, he stated that the more developed nature of the site would contrast with the more rural and open aspect of the land and would harm the character and appearance of the area.</p> <p>Consequently, the Inspector concluded that the proposal constituted 'inappropriate development' in the Green Belt, that it would harm the openness of and the conflict with the purposes of the Green Belt, and would harm the character of the area. He considered that no 'very special circumstances' existed that would outweigh the substantial harm to the Green Belt.</p>

Site	Splash Cottage, Parke Road, Sunbury on Thames
Planning Application Number	15/00217/HOU
Appeal References	APP/Z3635/D/15/3132875
Appeal Decision Date:	09/12/2015
Inspector's Decision	The appeal is dismissed.
Proposal	Erection of first floor extension, enclosure of existing ground floor balcony and creating larger basement by enclosing walled area.
Reason for Refusal	The proposed dwelling by reason of its scale, design and siting would have a poor relationship with neighbouring residential

	<p>properties resulting in a loss of light to the front facing window of No. 13 Fordbridge Road, loss of outlook to the side facing windows of No. 9 Fordbridge Road and causing a loss of light and being overbearing to both adjacent properties. As such the proposal will cause a significant loss of amenity to neighbouring residential properties contrary to Policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 201.</p> <p>The proposed dwelling by reason of its scale, design and siting would represent an overdevelopment of the site, resulting in development that is out of character and of detriment to the locality due to the reduction in gaps between buildings, and overall depth, width and height of the resultant property dominating the site. The proposal is not considered to make a positive contribution to the street scene and is contrary to Policy EN1 of the Core strategy and Policies DPD 2009.</p>
<p>Inspector's Comments</p>	<p>In terms of the decision, the Inspector has dismissed the appeal based on the impact on the amenity of no. 9 and the proposed dwelling being out of character.</p> <p>The Inspector noted that, <i>'Splash cottage relates much more to the properties to the north-east with their spacious character than those to the south-west. This is because the single storey nature of the building, along with its style and materials, create a sense of space around it rather than the more dense development to the southwest.'</i> He previously noted that the dwelling to the north east are either bungalows or two storey with the upper floor rooms being in the roof and with significant gaps between them.</p> <p>He referred to the proposal being 'deeper', having a 'greater volume, higher eaves line and lower pitched roof' and as a result <i>'...would appear more bulky in the street scene. It would also have a greater bulk than 9 Fordbridge Road as this property does not have the same apparent width when viewed from Fordbridge Road as the extension on its south western side is single storey with a flat roof thereby reducing the overall bulk.'</i></p> <p>He went on to note that, <i>'the proposal would fill most of the width of the site, creating a lack of space on either side, particularly above first floor level, which is characteristic of those properties to the north-east which, as I have found the site more closely relates. It would therefore be harmful to the overall character and appearance of the area and the street scene in particular.'</i> He noted that it did not respond to local character as required by the National Planning Policy Framework.</p> <p>In relation to the impact on no. 9 he stated that, <i>'...The full two storey height very close to the boundary would result in an</i></p>

	<p><i>overbearing effect in close proximity to this property and its patio, and would result in a loss of outlook from No. 9. The proposal would therefore have a significant harmful effect on the living conditions which the occupiers might reasonably expect to enjoy.'</i></p> <p>He sympathised with the appellant's personal circumstances, and noted that the adverse effect of the development would be permanent whereas such personal circumstances will change over time and as such does not outweigh the serious harm he found.</p> <p>He concluded that it would fail to comply with relevant local plan policies and the guidance in the Framework.</p>
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FUTURE HEARING / INQUIRY DATES

Council Ref.	Type of Appeal	Site	Proposal	Case Officer	Date
15/00087 /ENF	Hearing	The Willows, Moor Lane, Staines Upon Thames.	Enforcement notice relating to the unauthorised storage on open land.	JF	15/03/2016