



Planning Committee

21 September 2022

**Planning Appeals Report – V1.0 ISSUED**

**Appeals Started between 14 July 2022 – 07 September 2022**

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature
21/01933/HOU <b>28 Ensign Way Stanwell Staines- upon-Thames</b>	24.05.2022	Fast Track Appeal	APP/Z3635/D/22/3299564 The erection of a single storey side extension and a detached outbuilding to the front (following demolition of existing detached garage with existing storage structure). Reposition and amended high boundary treatment fronting the highway on the northern side comprising 1.85 metres high timber fence with concrete posts (partially retrospective).
22/00056/T56	25.05.2022	Written Representation	APP/Z3635/W/22/3299732

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<b>Thames Street Sunbury-On- Thames Surrey</b>			Prior approval for the installtion of a 19 metre phase 8 street pole and associated cabinets and equipment.
22/00069/HOU  <b>72 Thames Street Sunbury-on- Thames TW16 6AF</b>	01.06.2022	Written Representation	APP/Z3635/W/22/3298205  Erection of an extension to rear along with the creation of a new floor and rooms within the roof.
22/00492/RVC  <b>Glenmore Green Street Sunbury- on-Thames</b>	23.06.2022	Written Representation	APP/Z3635/W/22/3301717  Variation of plan number condition of PA ref 20/00052/FUL for the extension and alterations of the building to form 8 flats, to allow for the floorspace at second floor level to be used as extra bedrooms and bathrooms for the approved first floor flats, thereby creating 3 duplex flats. As shown on drawings numbered 19.1183/009 proposed site plan, 009A proposed GF plan, 111 A proposed FF plan and 112A proposed 2nd F plan received on 04/04/2022
22/00310/HOU  <b>3 Reedsfield Road Ashford TW15 2HE</b>	27.06.2022	Fast Track Appeal	APP/Z3635/D/22/3301977  Erection of a single storey rear extension, two storey side extension and conversion of existing garage into a habitable room (revised scheme to planning application: 21/01614/HOU)
21/01609/T56	25.07.2022	Written Representation	APP/Z3635/W/22/3298392  Proposed 5G telecoms installation: H3G Phase 8 16m high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets.

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<b>Verge Opposite 3 And 4 Powell Cottages, Long Lane Stanwell</b>			

**Appeal Decisions Made between 14 July 2022 – 07 September 2022**

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
21/01065/FUL  <b>12 Thames Meadow Shepperton TW17 8LT</b>	21.01.2022	Written Representation	APP/Z3635/W/21/3284482 Replacement dwelling following demolition of the existing house and annex	Appeal Dismissed	30.08.2022	The Inspector states that the proposal would harm Green Belt openness and would be an inappropriate development in the Green Belt. There not any very special circumstances necessary to justify the inappropriate development. It would also have a harmful effect on flood risk
21/00134/FUL  <b>115 Feltham Hill Road &amp; Land At The Rear Of 113-127 Feltham Hill Road Ashford</b>	02.02.2022	Written Representation	APP/Z3635/W/21/3284411 Proposed redevelopment of site for the erection of 5 no residential units, following demolition of existing buildings as shown on drawings numbered 2020/P0091 LP B, 105 A, 110 B and 111 B received on 26 January 2021 and amended plan numbered C100 B, 100 F and 112 C received on 16 March 2021	Appeal Allowed	22.08.2022	This application was recommended for approval; by Officers and was overturned by Planning Committee on the grounds of being out of character.  The Inspector considered that the main issue is the effect of the proposed development on the character and appearance of the area.  He notes that unlike many other nearby properties, the rear plots would not face an existing road and would include courtyard parking and agrees that to a

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						<p>limited degree, the layout, with this small-scale development reached via a short track, would give the scheme an ad hoc appearance, which would be slightly divorced from its immediate surroundings on this side of the road.</p> <p>However, he goes on to explain that when taken in the context of a similar development in evidence directly opposite the site on Worcester Drive and other examples nearby, which reinforce that there is no overall prevailing layout to the immediate area.</p> <p>Therefore he states that the proposal would reflect the backland character and appearance and would not result in an incongruous form of develop. And that the design of the dwellings has been informed by the neighbouring properties, with regards to height, fenestration, and materials. As a result, the proposed development would integrate well into its surroundings.</p>

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						<p>In conclusion, the proposed development would not be harmful to the character or appearance of the area, would not conflict with Policy EN1(a) and the aims of the Design of Residential Extensions and New Residential Development</p> <p>In regard to other matters the Inspector notes the following:-</p> <p>The privacy of surrounding residential properties would not be unacceptably compromised given separation distances and the location of existing and proposed windows. In addition, the massing of the dwellings and the 2-storey height would mean there was no undue sense of enclosure or loss of daylight or sunlight for occupants of nearby properties.</p> <p>I have found that the proposed development would not cause unacceptable harm to the living conditions of neighbouring properties with regard to the Human Rights Act 1998, Article 8.</p>

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						<p>Any noise and disturbance associated with development would be for a temporary period only.</p> <p>The proposal would provide a greater level of surveillance to the surrounding area than the existing enclosed site. Furthermore, the Crime Prevention Officer has offered no objection. For these reasons, I find the proposal would not increase the potential for crime to occur.</p> <p>In respect to property values, the courts have taken the view that planning is concerned with land use in the public interest so that the protection of purely private interests such as the impact of development on the value of neighbouring property could not be a material consideration.</p> <p>Therefore the appeal is allowed.</p>
21/01570/PST	28.02.2022	Fast Track Appeal	APP/Z3635/D/22/3290184 Prior Approval Notification for an additional storey above an existing	Appeal Dismissed	30.08.2022	The Inspector states the impact on the external appearance of the dwellinghouse would not constitute permitted development

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<b>12 Thames Meadow Shepperton TW17 8LT</b>			detached bungalow measuring a maximum height of 6.15 metres (As shown on plans: 12TM/1/01; 02; 12TM/PD1/ 06 and location plan received 06.10.2021)			under the terms of Schedule 2, Part 1, Class AA of the GDPO.
<b>21/00887/FUL  Land At Station Road Shepperton TW17 8AU</b>	16.03.2022	Written Representation	APP/Z3635/W/21/3287111 Erection of 2 no. Semi-Detached Dwellings (in place of approved detached dwelling) as shown on drawings numbered CCL01-MAA-MB-ZZ-DR-A-00001 P02, 00002 P02, 01001 P5, 02001 P05, 04001 P05, 05001 P03 and 08001 P01 received on 26 May 2021.	Appeal Dismissed	14.07.2022	The Inspector considered the main issues were impact on character and appearance, including the effect on protected trees and open space; and whether the proposal would provide a satisfactory standard of accommodation for future occupants  He notes that the scheme would be prominent within the street scene, particularly in respect of its overall bulk and design, comprising a large expanse of brickwork along Station Road. The overall scale would appear out of proportion with neighbouring properties, in addition, the amount of proposed hardstanding to the front, would substantially reduce the green



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						<p>open space within the street scene</p> <p>The appellant has submitted drawings to illustrate the difference between the previously approved scheme and the proposed development. The Inspector agreed with the Council that there are notable differences including significantly higher eaves height, with a shallower and longer roof profile. The Inspector considered that this, coupled with the limited articulation of the side elevations proposed, would increase considerably the perceived bulk and presence of the property within the street, this along with the extent of the hardstanding would be, '... to the detriment of the verdant nature of the site'...</p> <p>The inspector noted that '...whilst I have found no harm in respect of the protected trees, I conclude that the proposed development would have a harmful effect on the character and appearance of</p>

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						<p>the site's open space, the street scene and surrounding area, appearing overly dominant and visually obtrusive.'</p> <p>The trees would not result in an unacceptable sense of enclosure or unacceptably limit access to daylight or sunlight, and the amenity space provision was acceptable, and the trees would not prevent use or enjoyment of these spaces. As such he noted that the standard of accommodation for future occupiers would be acceptable, with particular regard to outlook, daylight, sunlight and private outdoor space.</p> <p>In relation to the tiled balance he concluded that the proposal would represent a contribution to housing supply in an area with an acknowledged lack of future provision, along with some social and economic benefits of the proposed development. However, he concluded that the benefits arising from one additional unit</p>

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						<p>would inevitably be modest and that the harm arising from the proposal would significantly and demonstrably outweigh these modest benefits.</p> <p>Appeal dismissed</p>
<p>21/00984/FUL</p> <p><b>59 Staines Road West Sunbury-on-Thames TW16 7AG</b></p>	24.03.2022	Written Representation	<p>APP/Z3635/W/21/3288384</p> <p>Proposed development of rear car park to provide a new Nursery School.</p>	Appeal Dismissed	08.08.2022	<p>The Inspector identified the main issue to be the effect upon the character and appearance of the area.</p> <p>The Inspector noted that the appeal building would be mainly be behind Grandera House at no's 61-73 Staines Road West, although commented that its position would not align with any other building.</p> <p>The Inspector raised concerns that users of the nursery may park in Heathcroft Avenue as a result of the proposed car parking arrangements. There were also concerns over how vehicles would navigate through the site and potential conflicts with pedestrians.</p>

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						<p>The Inspector considered this to be indicative of a poorly thought out and unsatisfactory site layout that would not function well.</p> <p>The Inspector further commented that the proposed series of gables were contrived and would appear as an overly substantial mass. The Inspector also considered that the steep and convoluted roof form would be discordant and out of character.</p> <p>It was therefore concluded that the proposal would conflict with policy EN1 and the NPPF. Whilst the provision of a needed community facility weighed in the schemes favour, the Inspector considered that this did not outweigh the overall planning harm and the appeal was dismissed.</p>