



Planning Committee

8 February 2023

Planning Appeals Report – V1.0 ISSUED

Appeals Started between 17 December 2022 – 24 January 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
21/00633/FUL 484 London Road Ashford TW15 3AD	03.01.2023	Written Representation	APP/Z3635/W/22/3307008 Replacement of the existing bungalow with an apartment building comprising 8 dwellings (3 x 2 bed; 4 x 1 bed; 1 x studio)
22/01113/HOU 62 Briar Road Shepperton TW17 0HY	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312265 Construction of a vehicle crossover

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21/01772/FUL 37 - 45 High Street Staines-upon-Thames TW18 4QU	10.01.2023	Public Inquiry	APP/Z3635/W/22/3312440 Demolition of the former Debenhams Store and redevelopment of site to provide 226 Build-to Rent dwellings (Use Class C3) and commercial units (Use Class E) together with car and cycle parking, hard and soft landscaping, amenity space and other associated infrastructure and works
22/01107/HOU 22 Windmill Terrace Walton Bridge Road Shepperton	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312587 Erection of a single storey front extension, a two storey side extension and a part single part two storey rear extension (following refusal of planning application 22/00796/HOU)
22/01174/HOU 62 Desford Way Ashford TW15 3AT	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312972 Extension of existing outbuilding with a new pitched roof

Appeal Decisions Made between 17 December 2022 – 24 January 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
21/01272/PDR 15 Station Road Ashford TW15 2UP	08.02.2022		APP/Z3635/W/21/3285112 Prior approval notification for the part Change of Use of the First Floor Rear from Retail (Class A1) to three self-contained flats (Class C3).	Appeal Allowed	20.01.2023	The Inspector considered that the sole issue was the transport and highway impacts of the development, with particular regard to cycle parking. Notwithstanding the concerns raised by the County Highway Authority regarding access, security and size of the storage area, the Inspector noted that the number of bicycle spaces provided was acceptable and accessible and therefore concluded that that the proposed development would have an acceptable effect on transport and highways, including in respect of cycle parking and given the limitations of the requirements under Class M of the GPDO, further details of the cycle store would be unnecessary.
21/01299/FUL Kantara Pharaohs Island Shepperton	05.07.2022	Written Representation	APP/Z3635/W/22/3296881 Erection of replacement dwelling following demolition of existing dwelling and outbuildings	Appeal Dismissed	18.01.2023	The inspector considered that the proposed development would result in a footprint greater than that of the existing building and a loss of openness, given the site is highly visible on the island. The proposed would therefore constitute inappropriate development in the Green Belt with no very special circumstances. Furthermore, the inspector considered that it had not been satisfactorily demonstrated that the

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						proposed development would not increase flood risk and there is no substantive evidence that the appellant could implement a similar scheme under permitted development rights.
21/01956/HOU 10 Hawkewood Road Sunbury-on-Thames TW16 6HH	11.05.2022	Fast Track Appeal	APP/Z3635/D/22/3297553 Erection of a two-storey side extension with the incorporation of front facing dormer and erection of single rear extension. The erection of a single storey front extension to form porch. Proposed extension to the existing rear facing dormer.	Appeal Dismissed	12.01.2023	The Planning Inspector acknowledged that the application dwelling's four elevations were particularly visible from the street scene due to its corner location. In his view, the constructed of two storey side extension with less than 2m of the boundary wall and wrap around extension (extending beyond the neighbouring properties front elevations) considered to result in the dwelling being notably cramped and obtrusive feature when viewed in the street scene. Consequently, the Planning Inspector concluded that the appeal proposal would conflict with Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009 and the NPPF and as such the appeal was dismissed.
21/01813/HOU 29 Saxonbury Avenue Sunbury-on-Thames TW16 5EY	22.06.2022	Fast Track Appeal	APP/Z3635/D/22/3300639 Single storey front extension, single storey side extension, two storey side extension and two storey rear extension	Appeal Allowed	11.01.2023	The Inspector considered that the main issues are (i) the effect of the development on the character and appearance of the host dwelling and its surroundings, and (ii) the effect on the living conditions for the occupiers of No. 27 Saxonbury Avenue in terms of outlook. It was considered that the amendments to the previously refused

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			following demolition of garage and store.			scheme showed a substantial reduction in the bulk and massing of the first-floor element of the proposed side extension and that the effect of this would be to remove most of the adverse impact. The amendments would also now address concern regarding the development being overbearing to the adjoining property. It was concluded that the appeal scheme would not have an unacceptably adverse effect on the character and appearance of the host dwelling and its surroundings or on the living conditions for the occupiers of No. 27 Saxonbury Avenue in terms of outlook. Accordingly, there would be no harmful conflict with Policy EN1
22/00467/HOU 54 Thames Meadow Shepperton TW17 8LT	18.10.2022	Fast Track Appeal	APP/Z3635/D/22/3303222 New roof to create accommodation in the roof space, incorporating balconies to front and rear and alterations to external appearance of building.	Appeal Dismissed	10.01.2023	The Inspector agreed that the proposed additions would be 'disproportionate over and above the original dwelling and therefore would be inappropriate development in the Green Belt, which, by definition is harmful'. He also considered that the proposal would have an adverse impact on the openness of the Green Belt in spatial terms. In terms of design, he considered the proposal would have a domestic feel and appearance. He stated that within the context of Thames meadow, which he described as having a mixture of ridge heights, materials and finishes, the proposal would conform to the

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						general pattern of development and would not appear out of place.
22/00796/HOU 22 Windmill Terrace Walton Bridge Road Shepperton	14.09.2022	Fast Track Appeal	APP/Z3635/D/22/3304576 Erection of a two-storey front and side extension and a part single part two storey rear extension	Appeal Dismissed	11.01.2023	The inspector considered that the two storey front and side extension would be; (i) disproportionately large; (ii) have a significant and adverse impact on the host dwelling; (iii) unbalance the pair, and (iv) be detrimental to the street scene. Overall, the inspector concluded that this would have an unacceptably adverse effect on the character and appearance of the host dwelling
22/01107/HOU 22 Windmill Terrace Walton Bridge Road Shepperton	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312587 Erection of a single storey front extension, a two-storey side extension and a part single part two storey rear extension (following refusal of planning application 22/00796/HOU)	Appeal Dismissed	11.01.2023	The inspector considered that the proposed front extension in combination with the two storey side addition retained from the previous scheme would fail to overcome issues in the above appeal (i - iv). Therefore, the inspector concluded that this proposal would also have an unacceptably adverse effect on the character and appearance of the host dwelling
20/00237/FUL	03.03.2022		APP/Z3635/W/21/3285042 Erection of six detached dwellings, 2 fronting Thames Side and 4 fronting	Appeal Dismissed	03.11.2022 ¹	The Inspector considered the issues were the effect on the character and appearance of the area and whether it would preserve or enhance the Laleham Conservation Area (LCA). Due to the positioning of the

¹ Outstanding from January's report. Added to February's report.

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Osmanstead Condor Road Laleham			Condor Road, with associated access, parking areas and amenity following demolition of existing house and outbuildings.			<p> dwellings on the two plots facing the river, which would be positioned further forward than the other properties fronting the river, this would harm the open character of the area and erode the uniform positioning of houses along this section of Thames Side. One of these plots would also be closer to the boundary with Condor Road, which would mean the proposed houses would be prominent in the street scene and given their bulk, would appear incongruous and not in keeping. Furthermore, those plots facing Condor Road have shallow frontages which would increase their prominence and would not be in keeping. This is exacerbated by the parking arrangements, as well as the form of the proposed dwellings as semi-detached pairs in an area of detached houses, which would also be out of character. Therefore, they would appear cramped within their plots and not in keeping with other properties along the road. The Inspector concluded that the proposal would harm the character and appearance of the area and the significance of the LCA. It would, therefore, conflict with those aims of policies EN1 and EN6 of the Core Strategy and with the aim of the National Planning Policy Framework to conserve heritage assets in a manner appropriate to their significance </p>

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21/01290/FUL 97 Feltham Road Ashford TW15 1BS	11.05.2022	Written Representation	APP/Z3635/W/22/3291285 Roof alterations to create a new one-bedroom flat including two side dormer windows, a rear rooflight and a front gable extension.	Appeal Dismissed	07.10.2022 ²	The Inspector concluded that, in combination, the front gable extension and side dormers would substantially alter the roof profile and design which in the Inspectors view would harm the building's character and appearance. Furthermore, the front gable extension would be out of character with the subservient dormers and bay roofs elsewhere along the street and, along with the side dormers, conflict with the aims and guidance in the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011) (SPD) and Policy EN1 of the CS&P DPD.
22/00069/HOU 72 Thames Street Sunbury-on-Thames TW16 6AF	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.	Appeal Dismissed	25.11.2022 ³	The Inspector considered that the main issues are the effect of the development on the character and appearance of the area with particular regard as to whether or not it would preserve or enhance the character or appearance of the Lower Sunbury Conservation Area (LSCA) or effect the setting of a nearby listed building; and the living conditions of neighbouring occupiers.

² Outstanding from January's report. Added to February's report.

³ Outstanding from January's report. Added to February's report.

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						<p>It was considered that the proposed building's increased depth and height would give the resulting structure a significant mass and bulk within the street scene. It would not form, nor would it be read, as part of the existing terrace of buildings on the south side of Thames Street, which positively contribute to the overall character of the area. Instead, it would be a large prominent building that would dominate the street scene and would harmfully erode the significance of this sensitive and historic area. With regard to the adjoining listed building, it was considered that the proposal would not sustain or enhance the character of the space around the listed building and would distract from the position and significance of the listed building at the end of the terrace. As a result, it would be harder to appreciate the side elevation, thereby detracting from its significance. It was not considered that there would be any harm to the living conditions of neighbouring occupiers. It was concluded that the proposal would be harmful to the character and appearance of the area and would therefore be contrary to Policies EN1, EN5 and EN6 of the Core Strategy and with the NPPF as it seeks to ensure that developments are sympathetic to local character and that heritage assets are</p>

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						conserved in a manner appropriate to their significance.
22/00436/HOU 74 Park Road Ashford TW15 1EU	04.07.2022	Fast Track Appeal	APP/Z3635/D/22/3301762 Proposed two storey side extension, single storey rear extension, loft conversion and rear dormer.	Appeal Allowed	07.11.2022 ⁴	The Inspector considered that the main issue is the effect of the proposed development on the character and appearance of the host property and the area. The Inspector concluded that the extensions are in keeping with the overall scale, design, and proportions of the host dwelling and are akin to the scale and design of other extensions in the area. It was considered that the dormer window is of a modest scale and has a subservient appearance to the host dwelling and does not appear disproportionate or unduly dominant or prominent. As such, the proposal does not appear out of keeping with the character of the area and is not unduly prominent despite its siting, due to its context and modest scale. It therefore complies with policy EN1 of the Spelthorne Core Strategy and the Framework.

⁴ Outstanding from January's report. Added to February's report.