



Planning Committee

26 April 2023

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

**Appeals Started between 22 March – 11 April 2023**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
22/00470/OUT  <b>Land At 1-12 New Road Shepperton TW17 0QQ</b>	27.03.2023	Written Representation	APP/Z3635/W/22/3311540  Erection of 9 no. two storey dwelling houses with associated amenity space, car-parking and accesses (Outline).  As shown on drawings numbered LP; 203; HW1; HW2; HW3; HW4; HW5; HW6; HW7; HW8; Site Survey drawings 01 and 02 received 29 March 2022.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
22/00666/FUL  <b>192 Feltham Hill Road Ashford TW15 1LJ</b>	27.03.2023	Written Representation	APP/Z3635/W/22/3311716  Retrospective application for the erection of wooden canopy to the front of the coffee shop to allow for sheltered seating and installation of new extraction fan unit
22/00974/FUL  <b>2 Witheygate Avenue Staines-upon-Thames TW18 2RA</b>	30.03.2023	Written Representation	APP/Z3635/W/22/3312109  Conversion and extension of existing building, including the installation of a new roof with west facing dormer, and partial demotion, to create 2 Bedroom Residential Dwelling with associated parking and amenity space.
22/00210/FUL  <b>280, 282 And 284 Staines Road East Sunbury-on-Thames TW16 5AX</b>	30.03.2023	Written Representation	APP/Z3635/W/22/3312221  Demolition of existing buildings and development of a 47-bedroom care home with associated parking, facilities and landscaping as shown on drawings numbered H21.31 (00)2, 3 and 4 all Rev B, (005), (9)3, 4 and 5, (21)1 and 2, 1361-00 PRLP, EX SS, 2021-5917-001 (P1), 002 (P2) and 003 (P1) and 484.3 Rev 2 received on 14 February 2022.
22/01589/HOU  <b>8 Celia Crescent Ashford TW15 3NW</b>	31.03.2023	Fast Track Appeal	APP/Z3635/D/23/3318530  Erection of single storey side and rear extension (following demolition of existing single storey structure and conservatory) and erection of single storey front extension.

**Appeal Decisions Made between 22 March – 11 April 2023**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
<p>20/01112/FUL</p> <p><b>Phase 1C Charter Square High Street Staines-Upon- Thames</b></p>	06.06.2022	Written Representation	<p>APP/Z3635/W/22/3291661</p> <p>Redevelopment of the site to provide 64 new residential units (Use Class C3) with flexible commercial, business and service floorspace (Use Class E) and drinking establishment floorspace (Sui Generis) at ground floor, rooftop amenity space; landscaping and enhancements to the central public square, associated highway works, and other ancillary and enabling works.</p>	Appeal Dismissed	24.03.2023	<p>The Inspector identified the main issues to be whether the proposal would provide appropriate levels of affordable housing, the effect of the development upon living conditions of neighbouring properties with particular regard to daylight, sunlight and outlook, and whether an appropriate level of parking provision would be provided.</p> <p>The development would have been 100% affordable, with 58 shared-ownership units and 6 affordable rented units. The Inspector noted the Council's concerns that not all of the landowners would have been party to the Unilateral Undertaking (UU). The Inspector was concerned that the proposed UU would not run with the land and bind with the applicant's successors. The Inspector also considered that there were no substantive evidence of any exceptional circumstances to justify securing the affordable housing through condition. The Inspector could therefore not be certain that the proposal would deliver an appropriate level of affordable</p>

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						<p>housing, contrary to policy HO3 and the NPPF.</p> <p>In regards to daylight and sunlight, the Inspector noted that 39 habitable rooms in Phases 1A and 1B would not achieve the 1.5% Average Daylight Factor stated within BRE guidance. Taken across the whole development, 90% of the dwellings would meet BRE guidelines or experience no noticeable alteration in their current daylight levels. The Inspector considered that there would be some conflict with policy EN1 b). The Inspector also considered that the distances between the proposal and units in Phase 1A and 1B were appropriate and that there would be an acceptable impact in terms of outlook.</p> <p>In terms of parking provision, the Inspector considered that the 20 car parking spaces in Phase 1A proposed for the occupiers of Phase 1C could not be secured as part of the current application, and as such considered that only one car parking space would be available situated on the link road. The Inspector considered that the site is well-served by sustainable forms of transport, with bus and train stations in close proximity. The closeness to the town centre also provides potential occupiers</p>

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						<p>with numerous facilities. It was noted that the County Highway Authority considered the site to be in sustainable location. Given the sites location, the Inspector did not consider that the lack of parking would be so significant that it would lead to tangible highway safety or residential amenity issues. It was therefore considered that the proposal would accord with policy CC3 and the NPPF in this regard.</p> <p>In terms of the planning balance, it was noted that the proposal would contribute 64 dwellings to the Council's 5-year housing supply. However, there was no certainty that the proposal would provide affordable housing. Additionally, whilst the proposal would have an acceptable impact upon outlook, the Inspector found there to be an adverse impact upon the daylight and sunlight of existing occupiers. The adverse impacts of granting planning permission were not considered to be demonstrably outweighed by the benefits and the Inspector concluded that the appeal should be dismissed.</p>