



Planning Committee

8 May 2024

Planning Appeals Report – V1.0 ISSUED

Appeals Started between 21 March 2024 – 22 April 2024

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
23/01073/FUL 34 Village Way Ashford TW15 2LB	25.03.2024	Written Representation	APP/Z3635/W/23/3333645 Extension of a driveway facilitating change of use from amenity land to residential parking
23/00771/FUL	27.03.2024	Written Representation	APP/Z3635/W/23/3335395

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<p>Land Adjacent To 41 Chaplin Crescent Sunbury-on-Thames TW16 7JD</p>			<p>Demolition of existing garage and erection of bungalow with associated parking and amenity space.</p>
<p>23/01094/PAP</p> <p>90 Staines Road East Sunbury-on-Thames TW16 5BB</p>	<p>04.04.2024</p>	<p>Written Representation</p>	<p>APP/Z3635/W/24/3336963</p> <p>Prior approval notification for two additional storeys on top of existing detached block of flats comprising 4 x 2-bedroom units following removal of existing unit in the roof space, including alterations to the parking layout and the creation of new car parking spaces.</p> <p>As shown on drawing numbers: LOCATION PLAN SHEET 600; BLOCK PLAN SHEET 601; EXISTING AND PROPOSED ELEVATIONS SHEETS 120; 121; 220; 221; EXISTING SITE LAYOUT SHEET 102; SECTIONS SHEET 240 (All revision R1) received 25.08.2023</p> <p>and</p> <p>EXISTING AND PROPOSED FLOOR PLANS SHEETS 100; 101; 200; 201; PROPOSED SITE LAYOUT SHEET 203; ROOF PLAN SHEET 202 (All revision R1) received 05.09.2023</p>

Appeal Decisions Made between 21 March 2024 – 22 April 2024

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
23/00301/T56 Oaks Road Reserve Stanwell Moor Road Staines	20.11.2023	Written Representation	APP/Z3635/W/23/3323671 Proposed telecommunications installation: Removal of an Existing Telecommunications Installation At: P Beach Esq, Gleneagles Close, Staines, Surrey, TW19 7PD and To Be Replaced with A +20.0m AGL Swann Column, 4No. 600? Dishes, 5 no. Unilateral Cabinets, 1 no. A/C Cabinet, 1 no. Furo Cabinet and Associated Ancillary Works. As shown on drawing no's; 002 Issue A (Site Location Plan); 100 Issue A (Existing Site Plan); 150 Issue A (Existing Elevation A); 215 Issue A (Max Configuration Plan); 265	Appeal Dismissed	12.04.2024	The Inspector considered that as the site has a distinctive open character in what is an otherwise urban setting, the introduction of a 20 metre high mast, significantly taller than nearby properties and trees, would be an imposing structure which, given its height and proximity to dwellings and footpaths, would be an overly dominant feature that detracts from the open character of the site. Therefore, in the absence of clear and convincing evidence that there are no preferable alternative sites and notwithstanding the pressing need to secure a site for a replacement telecommunications installation in the local area, the benefits of the development are not sufficient to outweigh the harm identified.

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			Issue A (Max Configuration Elevation A); Supplementary Information Statement - all received 09.03.2023.			
23/00325/HOU 48 Elgin Avenue Ashford TW15 1QF	09.02.2024	Fast Track Appeal	APP/Z3635/D/23/3333634 Retrospective planning permission for a summerhouse/shed in the side garden	Appeal Dismissed	09.04.2024	<p>The Inspector comments that the outbuilding itself is highly visible in the street scene with its eaves rising above the adjacent garden boundary fence. It has a pitched roof which accentuates its visual impact.</p> <p>Whilst the outbuilding would be incidental with gym facilities, the occupation of dwellings is ultimately transitory and the appellant's circumstances could change in the future whereas the building would remain on the site and continue to harm the character and appearance of the area in posterity.</p> <p>The Inspector concludes that by reason of its design, scale and location the summerhouse constitutes a visually obtrusive and unsympathetic form of development to the surrounding pattern of built</p>

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						form within the locality and conflicts with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).

Current/Future Hearings/Inquiries

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
21/00393/ENF 11 Loudwater Road Sunbury-on-Thames TW16 6DB	17.01.2024	Hearing	APP/Z3635/C/23/3333226 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started, and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.
22/00099/ENF 9 Loudwater Road Sunbury-on-Thames TW16 6DB	17.01.2024	Hearing	APP/Z3635/C/23/3333218 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started, and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
22/00067/ENF 4 Loudwater Road Sunbury-on-Thames TW16 6DB	17.01.2024	Hearing	APP/Z3635/C/23/3333211 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.
22/00057/ENF 2 Loudwater Road Sunbury-on-Thames TW16 6DB	17.01.2024	Hearing	APP/Z3635/C/23/3333204 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.

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19/00015/ENF Riverbank 1 The Creek Sunbury On Thames	07.06.2023	Public Inquiry 7-8 February 2024	APP/Z3635/C/23/3320593 Appeal against serving of an Enforcement Notice. Without planning permission the unlawful development of a new dwelling house, garage, boathouse, associated terracing and planters, steps, walls, pillars and hardstanding.			The Public Inquiry overran the 2 days allocated and closing comments were presented via MS Teams on the 16 February 2024. Outstanding submissions of 'as built' plans submitted now by the Appellant to PINS as requested by the Inspector. Decision pending.
23/00507/CLD Roslin Rookery Road Staines- upon-Thames	07.11.2023	Public Inquiry	APP/Z3635/X/23/3331411 Certificate of Lawfulness relating to failure to comply with condition 2 of 09/00277/COU in respect to pupil numbers As shown on site location plan and detailed in a planning statement, statutory declarations and occupancy numbers received 21.04.2023	Appeal Allowed	23/02/2024	The Inspector considered all the evidence that was presented at the Inquiry and concluded that the evidence was sufficiently precise and unambiguous to show, on the balance of probabilities, that there has continued to be more than 30 children at the nursery at any one time for a ten year period in breach of condition. Consequently, the appellant is entitled to an LDC legitimising the breach of condition to the extent of allowing up to 45 children at any one time

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20/00257/ENF_A Stanwell Farm Bedfont Road Stanwell	07.11.2023	Public Inquiry 12-13 March 2024	APP/Z3635/C/23/3331902 Appeal against serving of an Enforcement Notice. The material change of use of the land from open land to use comprising the storage of builders merchants materials in connection with a builders merchants business, including pallets and scaffolding,	Invalid	12.03.2024	The notices are a nullity, Inquiry closed
20/00257/ENF_B Stanwell Farm Bedfont Road Stanwell	07.11.2023	Public Inquiry 12-13 March 2024	APP/Z3635/C/23/3331903 Appeal against serving of an Enforcement Notice. Without planning permission, the carrying out on the land of building, engineering, mining or other operations in particular the erection of a warehouse building and the use of that building on Green Belt land. Marked in blue on the attached plan.	Invalid	12.03.2024	The notices are a nullity, Inquiry closed

