

Planning Committee
13 May 2020

MONTHLY REPORT ON PLANNING APPEAL DECISIONS

Report by Steven Lewis, Planning Development Manager/Viv Evans, Head of Planning

The Planning Service has received the following Appeal decisions from 21 February to 1 May 2020.

Site Address	Planning Reference	Description of Development	Decision and Costs
St Martins Scout 7 guide Hut, Church Road, Epsom, KT17 4AB	APP/P3610/W/19/3242748 19/00115/FUL	Extension to the Forge building to create an additional meeting room and improved WC and kitchen facilities.	Dismissed – No Costs
91 Park Avenue East, Epsom, KT17 2PA	APP/P3610/W/19/3242057 19/00911/OUT	Erection 8 No. dwellings	Dismissed – No Costs
91 Park Avenue East, Epsom, KT17 2PA	APP/P3610/W/19/3242054 19/00157/OUT	Erection 8 No. dwellings	Dismissed – No Costs
100 Ruxley Lance, Ewell, KT19 0HY	APP/P3610/W/19/3240572 19/00960/FLH	Two storey side & rear extension with loft conversion and dormer extension to rear	Allowed – No Costs
113 Pams Way, Ewell, KT19 0HW	APP/P3610/D/19/3240392 19/01047/FLH	Single storey rear / side extension and hip to gable and rear dormer roof extensions, installation of 2 x front rooflights	Dismissed – No Costs
Land to rear of 23a to 33 Link Road, Epsom, KT17 3PP	APP/P3610/W/193240329 19/00354/FUL	4 new dwellings and associated access, parking, and landscaping	Dismissed – No Costs

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23 Longdown Lane North, Epsom KT17 3HY	APP/P3610/D/19/3240222 19/00719/FLH	A two storey front extension and two storey rear	Dismissed – No Costs
1 Higher Green, Epsom KT17 3BB	APP/P3610/W/19/3238840 19/00758/FUL	Erection of new 2 ½ storey dwelling and associated landscaping and parking	Allowed – No Costs

Summary of Appeal Decisions:

St Martins Scouts and Guides Headquarters, Church Road, Epsom

The Inspector concluded that the proposal would occupy a proportion of the RPA (Root Protection Area) of a protected Sycamore tree and that it has not been demonstrated that the proposal would ensure the long-term health and survival of the tree.

91 Park Avenue East, Stoneleigh

The inspector considered the two appeals jointly, considering that character & appearance and living conditions of neighbouring occupiers should be the main issues.

On the subject of the character both proposals were considered to represent a significant permanent encroachment into existing gardens which, owing to the spaciousness, verdure and position of them amidst the similarly large garden spaces associated with neighbouring properties, would diminish the contribution the appeal site makes to its garden setting and the wider swathe of green infrastructure within which it sits.

On the subject of amenity impact the findings were that the proposal which is the subject of first appeal would adversely affect the living conditions of neighbouring occupiers with regard to outlook, whereas the proposal relating to the second appeal would ensure that the living conditions of neighbouring occupiers were not unacceptably harmed.

100 Ruxley Lane, Ewell

The inspector disagreed with the Council and considered the extensions would not overly dominate the rear of the dwelling when considered in the context of the proposed two storey side extension and would not be visible from the public highway.

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113 Pams Way, Ewell

Given the position of the dwelling on the corner and its raised visibility in both street scenes the Inspector agreed with the Council that the hip to gable extension would be more prominent and noticeable compared to any of the examples provided in the area, concluding that it would have a harmful effect on the character and appearance of the area.

Land rear of 23a to 33 Links Road, Epsom,

The main issues were held to be the effect of the proposed development on the character and appearance of the surrounding area, including trees and whether it would preserve or enhance the character or appearance of the Higher Green Conservation Area.

The Inspector identified and concluded that the proposed development would have a harmful effect on the character and appearance of the surrounding area and nearby trees.

This harm was weighed against the Councils lack of five year Housing Land Supply in a tilted balance as outlined in paragraph 11d of the Framework. Having undertaken this balancing exercise, it was concluded that the identified adverse impacts of the scheme would significantly and demonstrably outweigh the benefits. The harm would be such that the proposed development would not constitute sustainable development when the Framework is read as a whole.

23 Longdown Lane North, Epsom

The harm to the Conservation Area was identified and classified as less than substantial and in such instances that such harm should be weighed against the public benefits of the proposal. These benefits were considered by the Inspector to be a private benefit to the appellant from the extensions and there are no public benefits to weigh against the less than substantial harm to the Conservation Area and as such was dismissed.

1 Higher Green, Epsom

The Council raised concerns about pressure in the future to remove an existing Lime tree that is located at the boundary of the site with the road and would be near to the side wall of the proposed dwelling. Given its prominent location at the boundary, its scale, and general appearance, this tree makes a positive contribution to the character and appearance of the conservation area.

The Inspector disagreed with the Council who wanted a 7.5m clearance from the tree (which would also have spaced the development more comfortably from the corner) and concluded that the overall impact on trees resulting from the proposed development would preserve the character and appearance of the conservation area and that the development was acceptable in visual terms

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Net No. of dwellings for which planning permission has been granted

Year 2019/2020

Month	Committee	Delegated	Appeal
April	32	11	0
May	21	14	0
June	0	7	0
July	109	5	1
August	0	2	3
September	0	10	1
October	13	1	0
November	1	3	0
December	6	4	0
January 2020	161	5	0
February	0	5	0
March	29	5	0
Total	444		

Year 2020/2021

Month	Committee	Delegated	Appeal
April	0	1	1

Annual target 695 dwellings

It should be noted that the above table and figures only count decisions which have been formally issued and also exclude decisions where there is an extant planning permission to avoid double counting.