

## Planning Appeals Report

<b>Ward</b>	(All Wards)
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Report prepared by Simon Taylor (Interim Planning Development & Enforcement Manager).

The Planning Service has received the following planning appeal decisions which relate to non-householder developments:

### Summary of Appeal Decisions:

Item	Site Address	Planning Reference	Description of Development	Decision and Costs
1	81 College Rd, Epsom KT17 4HH	22/01028/FUL	Infill 3 bed dwelling	Dismissed
2	289 London Rd, Ewell, KT17 2BZ	22/01028/FUL	Infill 3 bed dwelling	Dismissed Costs refused
3	Cromwell Rd, Worcester Park, KT4 7PY	22/00561/T56	15m tele monopole and associated works	Dismissed
4	Upper High St, Ewell KT17 4TA	22/00052/T56	17m tele monopole and associated works	Dismissed
5	Chessington Rd, West Ewell, KT19 9UR	21/01557/T56	15m tele monopole and associated works	Dismissed

### Summary of Issues:

#### 1. 81 College Road

The appeal was dealt with under written representations and the primary issue identified by the Inspector was the impact upon the character of the area, including an adjacent protected tree. The Inspector identified a spacious and verdant character and a large and prominent tree in the rear garden.

The Inspector found the following with respect to the appeal:

- The existing and proposed plots would be considerably smaller than those nearby, would not allow for adequate landscaping and would be cramped in its form (para 6)
- The proximity of the tree to the dwelling and the likely use underneath the tree and the shading impact upon the habitable rooms would lead to pressure to have the tree removed (para 7)
- Incursions into the RPA of the tree and tree protection is likely acceptable but pressure to prune is undesirable (para 8)

- The scale and form of the dwelling, including roof form is subordinate, plot width and building separation is not unusual and planting would provide integration but would not offset harm (para 10)
- In the absence of documentation, there was no ability to consider previous decisions (para 21)

In the consideration of the planning balance, the provision of one additional dwelling was given limited weight and the adverse harm outweighed the limited benefits and the appeal was dismissed.

## **2. 289 London Road**

The appeal was dealt with under written representations and the primary issues identified by the Inspector was the impact upon the character of the area, and whether there was adequate internal floorspace. The Inspector identified predominantly semi detached properties, modest gardens, consistency in building line, hipped roof forms and positive building separation.

The Inspector found the following with respect to the appeal:

- The dwelling would be incongruous with the semi detached pattern (para 7)
- Due to their design, scale, height, width, depth and siting, this pair of semi-detached properties create a massing that dominates the street scene at this particular point along London Road (para 9)
- Due to its siting, scale, height, width and depth, and its proposed roof design, the proposed dwelling would result in a two-storey built form and massing that would substantially close the separation between buildings; and would result in a cramped appearance within the immediate street scene (para 9)
- There are no comparable properties that would justify the proposal, otherwise reinforcing the harm that would arise (para 12)
- The proposal fails to provide adequate internal floorspace (para 17)

In the consideration of the planning balance, the provision of one additional dwelling was given limited weight and the adverse harm outweighed the limited benefits and the appeal was dismissed.

A costs application by the appellant alleged that the persistent objection was unreasonable, the reasons for refusal were not adequately considered and there was not consistency in decision making. The Inspector found little evidence – the officer report sets out history and the decision notice is clear and the costs application was dismissed.

## **3. Cromwell Road**

The appeal relates to a 15m 'slim line' high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets at the junction of Worcester Park Road, Cromwell Road and Old Malden Lane, on a highway verge, assessed under Schedule 2, Part 16, Class A of the GPDO, which requires a consideration of effect on character and appearance. The Inspector has identified a residential area of two storey buildings with newer medium rise development and tree covered open spaces.

The Inspector found the following with respect to the appeal:

- The pole is sited amongst the tree backcloth, mitigating harm to a degree but would still be prominent, conspicuous and incongruous (para 9)
- The height and bulk is greater than other furniture (para 10)
- The Council did not contest the alternative sites or the radius put forward but resident objectors provided several examples but there is no certainty that there are not other sites available (para 11-12)

In the consideration of the planning balance, the harm outweighs the economic and society benefits (para 16) and the appeal was dismissed.

#### **4. Upper High Street**

The appeal relates to a 5G telecoms installation: H3G Phase 8 17m high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets on a grass verge at the north side of Upper High Street and the junction with Church Road and Alexandra Road, assessed under Schedule 2, Part 16, Class A of the GPDO, which requires a consideration of effect on character and appearance. The Inspector has identified a residential area of two-three storey buildings and very few trees.

The Inspector found the following with respect to the appeal:

- The pole would be very significant in height on a corner location (para 8)
- There is a lack of infrastructure or vegetation to aid in screening (para 9)
- It is accepted that there are no other alternative sites (para 10)
- The harm to the Pikes Hill CA did not require further consideration (para 14)

In the consideration of the planning balance, the harm outweighs the benefits (para 13) and the appeal was dismissed.

#### **5. Chessington Road**

The appeal relates to a 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works on Chessington Road, assessed under Schedule 2, Part 16, Class A of the GPDO, which requires a consideration of effect on character and appearance. The Inspector has identified a parade of shops and three storey block of flats on a busy road as being the predominate character.

The Inspector found the following with respect to the appeal:

- The pole would sit amongst the context of streetlamps (para 7) and a line of trees (para 8) but the overall height is significantly taller than the surrounding area (para 8)
- There is a lack of infrastructure or vegetation to aid in screening and the thicker form at its top would draw attention (para 9)
- The proximity to the parade of shops, residential properties and existing monopoles and longer views from the roundabout are such that the height and clutter of the development would harm the character of the area and would not be mitigated by its painted colour (para 9)

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- It would appear that alternative sites have been unnecessarily discounted and there is insufficient evidence of other alternative sites (para 13-14)

In the consideration of the planning balance, the harm outweighs the benefits (para 13) and the appeal was dismissed.

**Summary of Pending Appeals:**

Reference	Appeal Ref		Address	Proposal	Lodged	Procedure
21/01406/FUL	22/00013/NON DET	<a href="#">APP/P3610/W/22/ 3291215</a>	140 - 142 Ruxley Lane West Ewell KT19 9JS	Demolition of existing dwellings and erection of 20 flats within two blocks with associated car parking and landscaping.	04/05/2022	WR
21/01167/FUL	22/00017/REF	<a href="#">APP/P3610/W/22/ 3301362</a>	Land Adjacent To Hollycroft Epsom Road, Ewell KT17 1JR	Erection of a two-storey detached dwelling with associated soft landscaping.	17/06/2022	WR
21/01254/FLH	22/00018/REF	<a href="#">APP/P3610/W/22/ 3301360</a>	Hollycroft, Epsom Road, Ewell KT17 1JR	Part single storey and part two storey extension following the demolition of existing extensions and structures. The erection of a detached garage.	17/06/2022	WR
21/01255/LBA	22/00019/REF	<a href="#">APP/P3610/Y/22/3 301359</a>	Hollycroft, Epsom Road Ewell KT17 1JR	Part single storey and part two storey extension following the demolition of existing extensions and structures. Erection of a detached garage.	17/06/2022	WR
21/00790/FUL	22/00023/REF	<a href="#">APP/P3610/W/22/ 3301980</a>	The Stoneleigh Inn, Stoneleigh Broadway, Stoneleigh KT17 2JA	Upgrade of an existing base station consisting of the proposed removal of 3 no existing antennas to be replaced with proposed 2no antennas on new steelwork fixed to chimney brickwork, together with the replacement of 3 no cabinets and ancillary development.	27/06/2022	WR
21/00791/LBA	22/00024/REF	<a href="#">APP/P3610/Y/22/3 301981</a>	The Stoneleigh Inn, Stoneleigh Broadway, Stoneleigh KT17 2JA	Upgrade of an existing base station consisting of the proposed removal of 3 no existing antennas to be replaced with proposed 2no antennas on new steelwork fixed to chimney brickwork, together with the replacement of 3 no cabinets and ancillary development.	27/06/2022	WR
22/00316/TPO	22/00033/NON DET	<a href="#">APP/P3610/W/22/ 3310516</a>	8 Grafton Road Worcester Park KT4 7QP	T1 Pine: Fell to ground level	07/11/2022	WR
22/00695/FUL	22/00034/REF	<a href="#">APP/P3610/W/22/ 3312147</a>	39 Manor Green Road Epsom Surrey KT19 8RN	Change of use of gym/yoga studio to residential to create a 1 bedroom dwelling with associated garden and parking	29/11/2022	WR
22/01086/FUL	22/00035/REF	<a href="#">APP/P3610/W/22/ 3312598</a>	52A Park Avenue East Stoneleigh KT17 2NY	Erection of additional storey and subdivision of the existing bungalow to provide a pair of semi-detached dwellings and single storey dwelling in rear garden	06/12/2022	WR

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22/01085/FUL	22/00036/REF	<a href="#">APP/P3610/W/22/3312765</a>	52A Park Avenue East Stoneleigh KT17 2NY	Erection of additional storey and subdivision of the existing bungalow to provide a pair of semi-detached dwellings	08/12/2022	WR
22/00431/FUL	22/00037/REF	<a href="#">APP/P3610/W/22/3313773</a>	Epsom Lodge, 1 Burgh Heath Road Epsom KT17 4LW	Change of use of vacant Care Home (Use Class C2) to Dwellinghouses (Use Class C3) including associated alterations and erection of two storey side extension (with roofspace accommodation) to create 6 flats (1 x 1 bed and 5 x 2 bed).	22/12/2022	WR
22/00817/FLH	23/00001/REF	<a href="#">APP/P3610/D/23/314322</a>	124 Hook Road, Epsom KT19 8TX	Formation of vehicular access and crossover (involving dropping of kerb).	08/01/2023	WR
22/01522/FUL	23/00003/REF	APP/P3610/W/23/3315065	12 Dartford Court, Glanville Way, Epsom KT19 8HQ	Single storey detached outbuilding (Use as Garden Office).	19/01/2023	HAS
22/01698/FUL	23/00006/REF	<a href="#">APP/P3610/W/23/3318006</a>	72 Chesterfield Road, West Ewell KT19 9QP	Demolition of garage and construction of bungalow	06/03/2023	WR
22/00385/TPO	23/00007/CON D	<a href="#">TBA</a>	Land To the Rear Of Burnside, Vernon Close, West Ewell KT19 9LF	Felling of Oak (T19 of TPO 77 and T12 of TPO 317) located at the rear of the property in Danetree Close	29/03/2023	WR
23/00036/FLH	23/00008/REF	<a href="#">APP/P3610/D/23/320972</a>	49 Lower Hill Road, Epsom KT19 8LS	Use of existing incidental outbuilding to provide ancillary residential accommodation.	25/04/2023	WR
23/00166/FLH	23/00009/REF	<a href="#">APP/P3610/D/23/321891</a>	32 Scotts Farm Road West Ewell, KT19 9LJ	New access	10/05/2023	WR
23/00122/FLH	23/00010/REF	<a href="#">APP/P3610/D/23/322276</a>	20 Mount Pleasant, Epsom KT17 1XE	Loft and raising of ridge	18/05/2023	WR
23/00026/FLH	23/00011/REF	APP/P3610/D/23/322403	18 Mount Pleasant, Epsom KT17 1XE	Loft and raising of ridge	18/05/2023	HAS
23/00266/FUL	23/00012/REF	APP/P3610/W/23/3324358	Land at 1 Limecroft Close, Ewell KT19 9RE	Additional dwelling	20/06/2023	WR
22/01518/FUL	23/00013/NON DET	APP/P3610/W/23/3324830	Majestic Wine Warehouses, 31 - 37 East Street	Self-storage facility	28/06/2023	TBC