

Monthly Report on Planning Appeal Decisions

Report by: Martin Holley, Planning Development Manager/Ruth Ormella, Head of Planning

The planning department has received the following 4 appeal decisions from the 21st August to the 24th September:

Site Address	Planning Reference Numbers	Description of Development	Decision + Costs?
41 Kendor Avenue, Epsom, Surrey KT19 8RG and 19 Upper Court Road, Epsom, Surrey KT19 8RE	17/00469/FUL APP/P3610/W/18/3197951	Demolition of the existing garage and the erection of a detached bungalow and associated parking.	Allowed 22 nd August No costs to either side.
7 Persfield Close, Ewell, Surrey, KT17 1PQ	14/00152/DEV APP/P3610/C/16/3163706	The rear Dormer has been built without planning permission. The rear dormer is not permitted development under the terms of the Town and Country Planning (General Permitted Development (England) Order (2015), as amended, Schedule 2, Part 1, Class B, in that:- 1) The eaves of the original roof have not been maintained or reinstated; and 2) The edge of the enlargement closest to the eaves of the original roof is less than 0.2 metres from the eaves, measured along	Allowed 23 rd August No costs to either side.

		the roof slope from the outside edge of the eaves. 3) The resulting roof-space created by the prior implementation of planning permission 14/01678/FLH is in excess of 50 cubic metres and therefore the rear dormer extension is not permitted development.	
7 Eastdean Avenue, Epsom KT18 7SW	17/00477/CLE APP/P3610/X/17/3185441	Ground floor rear extension	Dismissed 3 rd September No costs to either side.
167 London Road, Ewell, Surrey KT17 2BT	17/00904/TPO APP/TPO/P3610/6560	Felling of Ash tree T1 of TPO 316 located in the rear garden.	Allowed 7 th September No costs to either side.

Summary of Appeal Decisions:

41 Kendor Avenue and 19 Upper Court Road:

The inspector has disagreed with the council that the additional dwelling would be overdevelopment of the site. The inspector has stated that although neither the donor nor proposed property have 10 metre deep gardens, they both have garden areas in excess of the minimum standards and are therefore acceptable.

7 Persfield Close

The inspector has disagreed with the council that the eaves of the roof should have been reinstated and the dormer set back 20cm from the face of the dormer as the permitted development rights in place at the time allowed this and new regulations cannot be retrospectively applied. In addition, the inspector determined that the dormer was started prior to the other roof works and therefore would've been permitted development at the time of construction.

7 Eastdean Avenue:

The inspector supported the council in refusing the application on the grounds that the height of the eaves are more than the 3 metres in height allowed under permitted development.

167 London Road:

The inspector has disagreed with the council stating that as the tree is located in a back garden and barely visible from a public vantage point it could be felled.