

Monthly Report on Planning Appeal Decisions

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

The planning service has received the following 4 appeal decisions from the 29th March 2019 to 2nd May 2019.

Site Address	Planning Reference	Description of Development	Decision + Costs?
17 High Street, Epsom KT19 8DD	18/00086/FUL APP/P3610/W/18/3205266	The proposal is to change of use of ground floor and first floor from retail (Use Class A1) use to a mixed restaurant and hot food take-away use (mixed A3/A5 use), incorporating a replacement shopfront, plant, new rear external staircase at first floor level.	Allowed 29 th March 2019 No costs to either side
1 Chartwell Place Epsom KT18 5JH	Enforcement Appeal APP/P3610/C/18/3201801	Reduce the height of a fence including trellis to no more than 1.4m in height.	Allowed Enforcement notice quashed 16 th April 2019 No costs to either side
17 Jackson Close Epsom KT18 7RA	Enforcement Appeal APP/P3610/C/18/3211729 & 3211730	Reduce the height of a fence including trellis to no more than 1.4m in height.	Dismissed 16 th April 2019 No costs to either side
11 Windmill Lane Epsom KT17 1HY	18/01077/FLH APP/P3610/D/19/3221473	Proposed garage extension.	Allowed 29 th April 2019 No costs to either side

Summary of Appeal Decisions:

17 High Street, Epsom:

The Inspector allowed the appeal. The main issues were the potential detrimental harm to the vitality and viability of the Epsom town centre, and whether it would preserve the character of the Conservation Area. The inspector found that there would be no particular harm to the town centre.

1 Chartwell Place, Epsom:

The Inspector allowed the appeal, finding that the character of the area was in transition between open plan gardens and well defined front gardens, and therefore found the fencing causes no harm to the character of the area.

17 Jacksons Close, Epsom:

The Inspector dismissed the appeal concluding, having regard for all relevant factors, that the enforcement notice was sound.

11 Windmill Lane, Epsom:

The appeal is allowed with the Inspector holding the view that the garage extension would not adversely affect the living conditions of the neighbour.

Secretary of State Referral

18/00743/FUL Lower Mill, Ewell

Following Planning Committee of 11th April 2019, the subject planning application was referred to the Secretary of State (SoS) under the consultation direction and they advised that the matter was for the Local Authority to determine.

Subsequent to this the SoS contacted the Local Planning Authority to advise that they were in receipt of third party requests to call in the application for determination. On the 14th May 2019 the SoS advised that having carefully considered the case he is content that it should be determined by the local planning authority.

This application is continuing to have the s106 Agreement prepared with a view to determining the application in line with the Planning Committee decision of the 11th April 2019.