

PLANNING APPEALS REPORT

Report	Summary of all Planning Appeal Decisions and Current Appeals
Period	July-September 2024
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Date of Report	21/10/2024
Appeals	16 (12 dismissed, 4 upheld)
Costs Appeals	Nil

SUMMARY

Item	Address	LPA Ref	PINS Ref	Proposal	Decision
1	6A Bucknills Close, Epsom KT18 7NY	23/00577/ FUL	APP/P3610/W/23/3335744	Six dwellings	Dismissed
2	RAC, Woodcote Park, Epsom KT18 7EW	22/01876/ LBA	APP/P3610/Y/23/3333271	Refurbishment of room	Dismissed
3	54 Parkview Way, Epsom KT19 8FF	23/01142/ FLH	APP/P3610/W/24/3338154	Obscure glazing to window	Upheld
4	81 Park Avenue East, Stoneleigh	23/01285/ FLH	APP/P3610/D/24/3341016	Porch, first floor extension	Upheld
5	141 Riverview Road, Ewell KT19 0JP	23/01397/ FLH	APP/P3610/D/24/3341121	Two storey front and side extensions	Dismissed
6	116 Riverview Road, Ewell KT19 0JP	23/01424/ FLH	APP/P3610/D/24/3341526	Hip to gable roof extension	Upheld
7	52 The Parade, Epsom KT18 5DU	24/00057/ FLH	APP/P3610/D/24/3341762	Side dormer, rear extension	Dismissed
8	Rear of 11 Woodlands Avenue, Epsom KT18 7HP	23/01184/ FUL	APP/P3610/W/24/3341342	New holiday let building	Dismissed
9		23/01251/ FUL	APP/P3610/W/24/3343175	CoU of outbuilding to dwelling	Dismissed
10	17 Waterloo Road, Epsom KT19 8EX	24/00242/ FUL	APP/P3610/W/24/3345635	Dropped kerb	Upheld
11	31 Prospect Place, Epsom KT17 1WW	23/01508/ LBA	APP/P3610/W/24/3344152	Single storey side extension	Dismissed
		23/01507/ FLH	APP/P3610/W/24/3344151		Dismissed
12	42 Arundel Avenue, Ewell KT17 2RG	24/00042/ CLP	APP/P3610/X/24/3343404	Widening of crossover	Dismissed
13	Land at Pine Lodge Way, Horton Lane, Epsom	24/00872/ FLH	APP/P3610/W/24/3341641	New infill dwelling	Dismissed
14	Outside 73 High Street, Epsom KT19 8DN	24/00208/ FUL	APP/P3610/W/24/3345301	Communications hub	Dismissed
		24/00209/ ADV	APP/P3610/Z/24/3345303	Communications hub	Dismissed

DETAILS OF DECISIONS

1. 6A Bucknills Close, Epsom KT18 7NY (dismissed)

- 1.1. The application involved the erection of six dwellings on an existing backland site. It was refused for three reasons – vehicular and pedestrian safety risks arising from the narrow access, a lack of parking and lack of compensatory tree planting and landscaping. Members will recall a committee refusal of 24/00107/FUL for five dwellings which followed this refusal and is currently at appeal.
- 1.2. The Inspector accepted low pedestrian and vehicle numbers but also referenced proximity to the school, the lack of visibility when entering the site, the likelihood of risky reversing manoeuvres back onto the public highway and the likelihood of increased deliveries and visitors, such that “the overall number of properties would exceed the generally acceptable range for a private drive, and would include a commercial use, creating a different practical scenario to a standard private drive” (paragraph 9).
- 1.3. Whilst Whitehorse Drive was heavily parked, other surrounding streets were less busy and the parking shortfall of two spaces was acceptable. Landscaping concerns were not shared with adequate tree protection provided. In applying the titled balanced, the benefits were considerable (paragraph 36) but the risks to drivers and pedestrians was such that the appeal was dismissed.

2. The Royal Automobile Club, Epsom KT18 7EW (dismissed)

- 2.1. The application involved the extensive repair and refurbishment of one of the members rooms at the Grade II* listed RAC. It was intended to be the first application of the wider refurbishment of the accommodation. The Council refused the application due to substantial harm to existing historical features.
- 2.2. The Inspector raised issue with all of the Council’s issues, including the removal of single glazing and internal secondary glazing and replacement with double glazing, removal of radiators, removal of built-in wardrobe, removal and replacement of skirtings, removal and replacement of cornices and the installation of slot diffusers. Contrary to the Council’s view, the Inspector noted less than substantial harm but noted no real public benefits had been advanced and the appeal was dismissed.

3. 54 Parkview Way, Epsom KT19 8FF (upheld)

- 3.1. The Council granted approval for a side window, subject to a condition requiring it to be fixed and obscurely glazed. The appeal sought the removal of the condition and the Inspector agreed, noting that there was already a degree of pre-existing mutual overlooking, and the window adjoined a stairwell and landing where the outlook was limited.

4. 81 Park Avenue East, Epsom KT17 2PA (upheld)

4.1. The application involved a first-floor extension with a hip and pitched roof, porch, and new pitched roof to the existing single-storey extension. The issues were the impact on the character of the area and neighbouring amenity. In upholding the appeal, the Inspector noted a much bulkier appearance, but it was not out of proportion even on its corner plot. Building separation was also sufficient to retain neighbour amenity.

5. 141 Riverview Road, Ewell KT19 0JQ (dismissed)

5.1. The application involved a two-storey front extension and side extension and single storey rear extension alongside a raising of the roof. The Council refused the application on account of the height and bulk impacting on the character of the area and dominance and loss of light to a neighbouring property. It followed a previous refusal.

5.2. The Inspector commented that “I consider that the cumulative effect of the various elements would completely overwhelm the original character and appearance of the house” (paragraph 8), three front gables would appear mismatched and the full glazing in the apex of the two main gables would add to the disparity (paragraph 9). Materials were out of keeping and the works to the roof resulted in a top-heavy development. Concerns with neighbour amenity were not shared. It was duly dismissed.

6. 116 Riverview Road, Ewell KT19 0JP (upheld)

6.1. The application related to a loft conversion and rear extension. The Council refused the application on the grounds of harm to the area and to neighbour amenity. The Inspector allowed the appeal, noting that the hip to gable extension would be a radical extension but it faced away from the street. Neighbour amenity impacts were limited to two small rooflights.

7. 52 The Parade, Epsom KT18 5DU (dismissed)

7.1. The application related to a first-floor rear extension and dormer to a locally listed dwelling in the Church Street Conservation Area. It was refused due to the excessive height, massing, scale, unsatisfactory design, and appearance posing harm to the dwelling and Conservation Area as well as overlooking, overshadowing and loss of outlook of neighbouring properties.

7.2. In noting a degree of existing overlooking and site conditions, the Inspector did not share neighbour amenity concerns. However, “due to its form, height, bulk and mass and the constrained and irregular nature of the site I agree with the Council and consider that when viewed from The Parade, despite its set back, the first-floor element would have the appearance of a second house and would therefore detract from the character and appearance of the existing house and the wider Church Street Conservation Area.” (paragraph 6). There would also be a loss of gaps and the dormer had a poor design and on these grounds, the appeal was dismissed.

8. 11 Woodlands Road, Epsom KT18 7HP (dismissed)

- 8.1. The appeal related to the use of an existing residential outbuilding as a holiday let. The application was refused due to the principle of the use, harm to the character of the area (including being backland development in a residential garden), lack of internal and external space and substandard outlook, lack of car and cycle parking and lack of waste storage.
- 8.2. The Inspector raised no objection with all the above issues, except for raising significant concerns with the conversion of the building for independent accommodation, lamenting the fact that there was a largely blank street facing façade, it had the appearance of a small outbuilding on a noticeably smaller plot, thus creating a cramped appearance. There was a failure to conform to the grain of existing development and a reduction in spaciousness, all these factors rendered harm to the character of the area. In applying the titled balance, the harm was sufficient to dismiss the appeal.

9. 11 Woodlands Road, Epsom KT18 7HP (dismissed)

- 9.1. The appeal related to the same outbuilding but included a side extension to an existing outbuilding and its conversion to create a single dwelling. The application was refused due to the harm to the character of the area (including being backland development in a residential garden), lack of internal and external space and substandard outlook, lack of car and cycle parking and lack of waste storage. The appeal was dismissed on the same grounds as above.

10. 17 Waterloo Road, Epsom KT19 8EX (upheld)

- 10.1. The appeal related to the widening of an existing crossover at the intersection of Waterloo Road and Horsely Crescent. The application was refused on highway and pedestrian safety grounds given the proximity to the intersection. Whilst some inconvenience was noted, the Inspector noted good forward visibility and a lack of pedestrian inconvenience, and the appeal was upheld.

11. 31 Prospect Place, Epsom KT17 1WW (dismissed)

- 11.1. The appeal related to the refusal of an application for the erection of a single storey side extension to a Grade II listed residential dwelling. The application was refused on the grounds of harm to the setting and fabric of the listed building and the setting of the conservation area as well as neighbour amenity impacts to the light afforded to a neighbouring window.
- 11.2. The appeal was heard at a hearing on 4 September 2024 and included an appeal against the listed building consent and planning application. The significance of the building is derived from its historic and architectural interests as a place of worship. The Inspector noted that “The proposal would introduce an extension which would overtly alter the simple single cell layout, eroding the pleasing uniformity of the building (paragraph 13) and “would be highly prominent from the front in the street scene” (paragraph 20) with largely only private benefit (paragraph 25) such that the

harm to the listed building and conservation area outweighed the limited benefits and the appeal was dismissed. Neighbour amenity impacts were found to be acceptable.

12. 42 Arundel Avenue, Ewell KT17 2RG (dismissed)

12.1. The proposal involved the widening of an existing vehicular crossover serving a residential dwelling, submitted as a certificate of lawfulness. The Inspector agreed with the Council in that access was already possible to both existing on site parking spaces and the widening would not be required in accordance with Class B or Part 2 of the GPDO, thus not being permitted development.

13. Substation at Pine Lodge Way, Epsom KT19 7AA (dismissed)

13.1. The application involved a new infill dwelling within an existing residential estate that formed part of the Hospital Clusters within designated Green Belt. The Council refused the application on the grounds of inappropriate development in the Green Belt, harm to the character of the area, lack of on site car parking (as the proposal would remove visitor parking for the existing estate) and a drainage information (no Flood Risk Assessment).

13.2. The Inspector agreed on all contentions and the appeal was dismissed. The appellant had argued that the proposal was not inappropriate development given it involved infilling within a village but the Inspector disagreed that the area constituted a village. There was limited harm to the openness but no very special circumstances to outweigh harm. The dwelling was also cramped within its plot and had a width and overall form that was incompatible with the area. The loss of existing visitor parking was not acceptable and would not feasibly be managed via a condition and in the absence of any drainage information, the Inspector was not satisfied that the proposal would not achieve a satisfactory drainage outcome.

14. Outside 73 High Street, Epsom KT19 8DN (dismissed)

14.1. This relates to a linked appeal for an advertisement consent and full application for a communications hub on Epsom High Street. It would have comprised LED advertising on one side and a defibrillator and internet access on the other side. The Council refused the applications because of the harm to the Epsom Town Centre conservation area and due to concerns with highway safety.

14.2. The appeal was dismissed on both grounds. The size and solid appearance and the advertisements would stand out and appear visually over-dominant and detract from views of historic buildings in the conservation area (paragraph 14). The moderate weight of public benefits did not outweigh this harm. There were also clear highways concerns in relation to passengers using the nearby bus stop and for vehicles at the access onto 87 High Street.

CURRENT APPEALS

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Planning Committee
7 November 2024

Planning Appeals
Report

Council Ref	Appeal Ref	PINS Reference	Status	Address	Proposal
22/00316/TPO	22/00033/NON	APP/P3610/W/22/3310516	Received	8 Grafton Road Worcester Park	Felling of Pine
22/00385/TPO	23/00007/COND	Pending	Received	Burnside, Vernon Close, West Ewell	Felling of Oak
22/01810/TPO	23/00019/REF	Pending	Received	21 Chartwell Place, Epsom	Felling of Ash
23/00302/TPO	23/00031/REF	Pending	Received	5 Poplar Farm Close, West Ewell	Part tree removal
23/00175/TPO	23/00032/REF	Pending	Received	35 Woodcote Hurst, Epsom	Removal of Cypress
23/00582/FUL	24/00013/REF	APP/P3610/W/24/3342567	Decision due	16 Reigate Road, Ewell	Infill dwelling
24/00207/ADV	24/00020/REF	APP/P3610/Z/24/3345304	Decision due	Outside 6A Church Street, Epsom	Communications hub
24/00208/FUL	24/00018/REF	APP/P3610/W/24/3345295	Decision due	Outside 6A Church Street, Epsom	Communications hub
23/01234/FUL	24/00024/REF	APP/P3610/W/24/3346386	Decision due	1 Wheelers Lane, Epsom	New dwelling
23/00525/CLE	24/00011/REF	APP/P3610/X/24/3342079	Decision due	7 Melton Place, Epsom	Conversion to 3 dwellings
24/00301/REM	24/00030/REF	APP/P3610/D/24/3347244	Decision due	46 Horton Place, Epsom	Changes to window
24/00110/FLH	24/00026/REF	APP/P3610/D/24/3347227	Decision due	40 Redwood Drive Epsom	Rear extension
24/00298/FUL	24/00029/REF	APP/P3610/W/24/3347374	Decision due	Ewell Castle Junior School, Ewell	New classroom
24/00299/LBA	24/00028/REF	APP/P3610/Y/24/3347376	Decision due	Ewell Castle Junior School, Ewell	New classroom
24/00417/REM	24/00031/REF	APP/P3610/D/24/3348086	Decision due	47 Holmwood Road, Cheam	Variations to dwelling
24/00430/FLH	24/00032/REF	APP/P3610/D/24/3348264	Decision due	28 Christ Church Mount, Epsom	Double hip to gable
23/01068/FUL	24/00027/REF	APP/P3610/W/24/3346982	Decision due	135 Riverview Road, Ewell	Outbuilding used as dwelling
24/00227/FLH	24/00034/REF	APP/P3610/D/24/3348495	Decision due	494 Chessington Road, West Ewell	Garage conversion
23/01451/FUL	24/00039/REF	APP/P3610/W/24/3349650	Decision due	Friars Garth, The Parade, Epsom	Additional floor to flat building
24/00445/FUL	24/00040/REF	APP/P3610/W/24/3350483	Decision due	9 And 10 Kirby Close, Ewell	4 dwellings (in principle)
24/00849/FUL	24/00041/REF	APP/P3610/W/24/3350649	Decision due	Green Gables, Ashley Road, Epsom	3 dwellings
24/00530/FLH	24/00042/REF	APP/P3610/D/24/3351068	Received	3 Bramley Road, Cheam	First floor front extension
24/00917/CLP	24/00043/REF	APP/P3610/X/24/3352350	Received	11A Christ Church Mount, Epsom	Dropped kerb
24/00800/TPO	24/00045/REF	APP/P3610/W/24/3353162	Received	1 Park Farm Court, West Ewell	Crown reduction
24/00107/FUL	24/00046/REF	APP/P3610/W/24/3353857	Received	6A Bucknills Close, Epsom	Five dwellings
23/00402/FUL	24/00044/REF	APP/P3610/W/24/3352418	Received	Dairy Crest, Alexandra Road, Epsom	New food store
24/00659/FLH	24/00047/REF	TBC	Received	53 Beaconsfield Road, Epsom	Alterations and additions