

Planning Committee Appeals Report
13/02/2025

APPEALS REPORT

Report	Summary of all Planning Appeal Decisions and Current Appeals
Period	October-December 2024
Author	Simon Taylor, Manager, Development Management
Date of Report	05/02/2025
Appeals	14 (14 dismissed, 0 upheld)
Costs Appeals	Nil

SUMMARY

Item	Address	LPA Ref	PINS Ref	Proposal	Decision
1	16 Reigate Road, Ewell	23/00582/ FUL	APP/P3610/W/24/3342567	Infill dwelling house	Dismissed
2	Outside 6A Church Street, Epsom	24/00208/ FUL	APP/P3610/W/24/3345295	Communications hub with adverts	Dismissed
3		24/00207/ ADV	APP/P3610/Z/24/3345304	Communications hub with adverts	Dismissed
4	7 Melton Place, Epsom	23/00525/ CLE	APP/P3610/X/24/3342079	Conversion of dwelling to 3 dwellings	Dismissed
5	46 Horton Place, Ewell	24/00301/ REM	APP/P3610/D/24/3347244	Changes to fenestration	Dismissed
6	40 Redwood Drive Epsom	24/00110/ FLH	APP/P3610/D/24/3347227	Rear extension	Dismissed
7	28 Christ Church Mount, Epsom	24/00430/ FLH	APP/P3610/D/24/3348264	Double hip to gable roof conversion	Dismissed
8	135 Riverview Road, Ewell	23/01068/ FUL	APP/P3610/W/24/3346982	Outbuilding used as dwelling	Dismissed

The following decisions were also tabled in the last appeals report to the Planning Committee in November 2024 but fell within the same October -December 2024 quarter

9	6A Bucknills Close, Epsom KT18 7NY	23/00577/ FUL	APP/P3610/W/23/3335744	Six dwellings	Dismissed
10	Rear of 11 Woodlands Avenue, Epsom KT18 7HP	23/01184/ FUL	APP/P3610/W/24/3341342	New holiday let building	Dismissed
11		23/01251/ FUL	APP/P3610/W/24/3343175	CoU of outbuilding to dwelling	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 with adverts	Dismissed
		24/00209/ ADV	APP/P3610/Z/24/3345303	Communications hub with adverts	Dismissed

DETAILS

1. 16 Reigate Road, Ewell KT17 1PH (dismissed)

- 1.1. The appeal relates to a new two storey, 3 bed dwelling house, which was refused on the grounds that it did not fit comfortably within its plot and alongside a public pathway running along its side boundary as well as neighbour amenity concerns and a lack of ecological information.
- 1.2. The Inspector concurred that the proposal represented excessive bulk for the site and a lack of building separation alongside a lack of survey information relating to potential bat roosts. It was not able to be conditioned. Neighbour outlook was found to be satisfactory. In applying the titled balance, the appeal was dismissed.

2. Outside 6A Church Street, Epsom KT17 4NY (dismissed)

- 2.1. This relates to a linked appeal for an advertisement consent and full application for a communications hub on Church Street near Upper 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 streetscene.
- 2.2. The Inspector found that the location away from the commercial frontages made it appear solitary and isolated, large and overly dominant, exacerbated by its modern appearance. (paragraph 12). The weight of public benefits did not outweigh this harm.

3. Outside 6A Church Street, Epsom KT17 4NY (dismissed)

- 3.1. The linked advertisement consent was dismissed on the same grounds.

4. 7 Melton Place, Epsom KT19 9EE (dismissed)

- 4.1. The appeal related to a 2011 enforcement notice that was issued for the cessation of the use of a terrace dwelling as three separate flats. The notice was appealed but was dismissed. It was eventually complied with in 2012. A certificate of lawfulness was subsequently submitted in 2024 seeking the Council's confirmation that the use of the building as three dwellings was lawful by virtue of it having been in existence for more than 10 years. Whilst the use as three flats may have had some merit, the certificate was refused on the basis that lawfulness cannot be demonstrated whilst a live enforcement notice applies to the site.
- 4.2. The appellant relied on the fact that there were erroneous plans on the Council's website for another property. The Inspector found in favour of the Council, noting that the erroneous plans were of no relevance to the consideration of the original appeal or the Council's assessment. The Council's enforcement officer is currently in the process of seeking compliance with the original 2011 notice.

5. 46 Horton Place, Ewell (dismissed)

5.1. The appeal related to unauthorised works to the front elevation of a townhouse dwelling within the Epsom Hospital Cluster which were inconsistent with the approved plans for a garage conversion. The Council argued that the resulting appearance of the unauthorised works, in terms of the window proportions and sill height, was inconsistent with the row of properties and detracted from the character of the area. The Inspector concurred with the Council and the appeal was dismissed.

6. 40 Redwood Drive Epsom KT19 8FL (dismissed)

6.1. The appeal related to a single storey rear extension and garage conversion. The Council refused the proposal because the loss of garage parking and a net increase in the number of bedrooms meant that there was insufficient provision for off street car parking, posing unacceptable demands on the surrounding road network and movement of traffic.

6.2. The Inspector agreed with the Council, noting a large number of vehicles parked over pavement and local parking stress. The appeal was dismissed though the rear extension was allowed.

7. 28 Christ Church Mount, Epsom KT19 8NB (dismissed)

7.1. The proposal involved a hip to gable roof extension, raising of the ridge by 600mm and a rear dormer. The Council refused the scheme on the grounds of poor design, bulk and a convoluted roof form.

7.2. The Inspector agreed with the Council, noting a myriad of issues with the scheme, including the scale and massing was excessive (paragraph 7), the works to the front elevation creating the impression of a three storey dwelling (paragraph 8), an excessively large rear dormer (paragraph 10) and inconsistency in alignment of the dormer to the windows below (paragraph 11). The appeal was dismissed.

8. 135 Riverview Road, Ewell KT19 0JR (dismissed)

8.1. The appeal related to the Council's refusal to allow the conversion of an existing garage the rear of a rear garden into a separate dwelling. The appellant had contended that the use was for an elderly parent. The Council argued that the existing form as a garage and the necessity for high fencing would harm the character of the area and because of substandard amenity for existing and future occupiers.

8.2. The Inspector agreed with the Council in that the intensive use of the land did not support a dwelling of this nature and that the substantially substandard internal and external amenity for the occupants and the overlooking back towards the existing dwelling justified dismissal of the appeal, even when applying the titled balance.

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9. 6A Bucknills Close, Epsom KT18 7NY (dismissed)

- 9.1. 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.
- 9.2. 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).
- 9.3. 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.

10. 11 Woodlands Road, Epsom KT18 7HP (dismissed)

- 10.1. 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.
- 10.2. 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.

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

- 11.1. 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.

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 highway concerns in relation to passengers using the nearby bus stop and for vehicles at the access onto 87 High Street.

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LPA Ref	PINS Ref	Status	Address	Proposal
22/00316/TPO	APP/P3610/W/22/3310516	Valid	8 Grafton Road Worcester Park	Felling of Pine
22/00385/TPO	TBA	Valid	Burnside, Vernon Close, West Ewell	Felling of Oak
22/01810/TPO	TBA	Valid	21 Chartwell Place, Epsom	Felling of Ash
23/00302/TPO	TBA	Valid	5 Poplar Farm Close, West Ewell	Part tree removal
23/00175/TPO	TBA	Valid	35 Woodcote Hurst, Epsom	Removal of Cypress
23/00402/FUL	APP/P3610/W/24/3352418	Hearing 18/3/25	Dairy Crest Site, Alexandra Road, Epsom	New supermarket
23/01234/FUL	APP/P3610/W/24/3346386	Decision pending	1 Wheelers Lane, Epsom	New dwelling
24/00298/FUL	APP/P3610/W/24/3347374	Decision pending	Ewell Castle Junior School, Ewell	New classroom
24/00299/LBA	APP/P3610/Y/24/3347376	Decision pending	Ewell Castle Junior School, Ewell	New classroom
24/00417/REM	APP/P3610/D/24/3348086	Decision pending	47 Holmwood Road	Variations to dwelling
24/00227/FLH	APP/P3610/D/24/3348495	Decision pending	494 Chessington Road, West Ewell	Garage conversion
23/01451/FUL	APP/P3610/W/24/3349650	Decision pending	Friars Garth, The Parade, Epsom	Additional floor
24/00445/FUL	APP/P3610/W/24/3350483	Decision pending	9 And 10 Kirby Close, Ewell	PiP for 4 dwellings
24/00849/FUL	APP/P3610/W/24/3350649	Decision pending	Green Gables, Ashley Road, Epsom	3 new dwellings
24/00530/FLH	APP/P3610/D/24/3351068	Decision pending	3 Bramley Road, Cheam	Garage conversion, first floor front extension
24/00917/CLP	APP/P3610/X/24/3352350	Decision pending	11A Christ Church Mount, Epsom	Dropped kerb
24/00800/TPO	APP/P3610/W/24/3353162	Not yet started	1 Park Farm Court, West Ewell	Crown reduction
24/00107/FUL	APP/P3610/W/24/3353857	Decision pending	6A Bucknills Close, Epsom	Five dwellings
24/00659/FLH	APP/P3610/D/24/3354283	Decision pending	53 Beaconsfield Road, Epsom	Various alterations
24/00975/FLH	APP/P3610/D/24/3355372	Decision pending	24 The Parade, Epsom	Hardstanding and windows
24/01001/TPO		Not yet started	Ridgecourt, The Ridge, Epsom	Tree works
24/00748/FUL	APP/P3610/W/24/3355930	Decision pending	3 Station Approach, Stoneleigh	Shopfront works
24/00901/FLH	APP/P3610/D/24/3355872	Decision pending	10 Drumaline Ridge, Worcester Park	Porch and side extension
24/00346/FUL	APP/P3610/W/24/3355981	Decision pending	Hobbledown, Horton Lane, Epsom	Waterplay park
24/01247/FUL	APP/P3610/W/24/3356729	Decision pending	Hudson House, Station Approach, Epsom	Communications hub with adverts
24/01248/ADV	APP/P3610/Z/24/3356730	Decision pending		
24/01249/FUL	APP/P3610/W/24/3356732	Submissions	Epsom Gateway, Ashley Avenue, Epsom	Communications hub with adverts

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24/01250/ADV	APP/P3610/Z/24/3356733	Submissions		
24/01254/ADV	APP/P3610/Z/24/3356735	Submissions	Capitol Square, 2-6 Church Street, Epsom	Communications hub with adverts
24/01253/FUL	APP/P3610/W/24/3356734	Submissions		
24/01264/CLE	APP/P3610/X/24/3357306	Received	329 London Road, Ewell	Hip to gable roof conversion
24/01312/FUL	APP/P3610/W/24/3357667	Decision pending	10 High Street, Epsom	Change to shopfront
24/01315/ADV	TBA	Received	10 High Street, Epsom	Advertising signage
24/00317/NOT	TBA	Received	10 High Street, Epsom	Enforcement notice
24/00568/FUL	APP/P3610/W/25/3359376	Submissions	Langley Bottom Farm, Langley Bottom	New dwelling
24/01175/FLH	APP/P3610/D/25/3359588	Submissions	7 Clandon Close, Stoneleigh	Hip to gable