

PLANNING APPEALS REPORT

Report	Summary of all Planning Appeal Decisions and Current Appeals
Period	April-June 2025
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Date of Report	01/07/2025
Appeals Determined	7 (4 dismissed, 3 upheld)
Costs Appeals Determined	1 (1 dismissed)

SUMMARY

Item	Address	LPA Ref	PINS Ref	Proposal	Decision
1	3 Station Approach, Stoneleigh	24/00050/REF	APP/P3610/W/24/3355930	Change to façade of approved converted shopfront	Dismissed
2	9 And 10 Kirby Close, Ewell	24/00040/REF	APP/P3610/W/24/3350483	Four new dwellings (permission in principle)	Upheld (Committee overturn)
2a				Costs application	Dismissed
3	Land Outside Hudson House, Station Approach, Epsom	24/00053/REF	APP/P3610/W/24/3356729	Communications hub	Dismissed
4		24/00054/REF	APP/P3610/Z/24/3356730		Dismissed
These applications were received during the current quarter but were received in early April and were reported in the previous appeals report at the April 2025 Planning Committee					
5	3 Bramley Road Cheam	24/00042/REF	APP/P3610/D/24/3351068	Garage conversion, front, side, rear and roof extensions	Dismissed
6	Dairy Crest Site, Alexandra Road, Epsom	24/00044/REF	APP/P3610/W/24/3352418	New Aldi supermarket	Upheld (Committee overturn)
7	Green Gables, Ashley Road, Epsom	24/00041/REF	APP/P3610/W/24/3350649	4 new dwellings	Upheld

DETAILS

1. 3 Station Approach, Stoneleigh (dismissed)

- 1.1. The appeal related to the Council's refusal of a retrospective application to regularise unauthorised works to a shopfront in Station Approach. Prior approval was granted in 2021 for the change of use of the ground floor retail space to a residential dwelling. However, the frontage to Station Approach was never built in accordance with the approved plans (with respect to windows and brickwork) and following enforcement enquiries, an application was submitted.
- 1.2. The applicant argued that it was not possible to construct the frontage without retaining adequate privacy, noise and building insulation. However, despite these

arguments, the Inspector agreed with the Council that the proposal “unduly harms the character and appearance of the host building and the surrounding area from the front” in a row of relatively intact shopfronts. Namely, the “approved front elevation which sought to improve privacy and to continue to reflect the surrounding retail uses has not been achieved. Furthermore, the new, mono-coloured bricks present a discordant and prominent face to the building which unduly draws the eye. The contrast with the other shop fronts is disharmonious. The loss of the highlight windows which were retained on the approved plans also detracts from the consistent shopfront type appearance in the row of shops” (para 9). The appeal dismissed the appeal.

2. 9-10 Kirby Close, Ewell (upheld)

- 2.1. The appeal related to a permission in principle application for the demolition of two bungalows and erection of four, two storey semi detached properties. At the July 2024 meeting of the Planning Committee, members overturned the officer recommendation for approval, citing concerns with density and by extension – harm to the character of the area. A primary concern of members was that the two storey dwellings would be out of context with the bungalows in the street.
- 2.2. The Inspector was satisfied that the principle of four dwellings could be accommodated, density was policy compliant, it would not be unacceptably cramped, incongruous or result in over development of the site (paras 9 and 10). Consideration extended to the mix of dwellings in the street – at para 13, it was noted that “I have taken account of the concerns of many local residents about the proposal. I note some have queried the percentage of bungalows and two storey dwellings quoted in the Officer’s Committee Report. However, I was able to observe the mix on my site visit and I have taken account of my own observations in the determination of the appeal”. The appeal was upheld without conditions.

2a. 9-10 Kirby Close, Ewell (costs - dismissed)

- 2.3. A full award of costs was sought by the appellant because “the Council failed to substantiate its reasons for refusal but rather refused permission on the basis of a statement with no justification. They ignored the professional advice of the Officers and did not adequately review the relevant information and had a pre-determined view on the application and had a disrespectful view of the applicant. Moreover, they did not have adequate knowledge of the permission in principle process, nor did they take adequate account of permitted development rights.
- 2.4. The Inspector did not agree and the costs application was dismissed. The Inspector notes that the reason for refusal was based on policy, and that it was not unreasonable for members to reach a different conclusion to officers despite discussion at the Planning Committee ‘straying’, unfortunate comments about profit motive and confusion about the permission in principle process (para 6). Members were ‘steered back’ to the matters at hand, there was no unreasonable pre-disposition and the decision was based on planning judgement.

3. Land Outside Hudson House, Station Approach, Epsom (dismissed)

- 3.1. The application relates to the erection of a freestanding communications kiosk on the footpath opposite Epsom Railway Station. The Council refused the application on the grounds that it presented streetscape clutter, impeded pedestrian movement and harmed the living conditions of ground floor occupants of Hudson House.
- 3.2. In dismissing the appeal, the Inspector found in favour of the Council on all grounds, including that:
- “The pavement is not unduly wide at the point where the kiosk is proposed and it would tend to dominate this part of the streetscene. It would have a negative impact on what is currently a fairly uncluttered area, and as a result, damage visual amenity.” (para 9)
 - “In this particularly busy location, the proposed gap of about 2500mm between the planter wall and the kiosk, whilst above the minimum, would not be sufficiently wide to allow free flow of pedestrian traffic. It would create an unnecessary pinchpoint, and a pinchpoint that is very near stationary pedestrians waiting to use the crossing.” (para 11)
 - “...the introduction of the structure and digital advertisement display would result in light spillage to the windows in darkness hours. I also anticipate that there would at times be a congregation of people at the kiosk (and on my site visit I noted the public using the planter wall as bench)” (para 14)

4. Land Outside Hudson House, Station Approach, Epsom (dismissed)

- 4.1. This is linked to the above appeal as an advertisement consent. It was dismissed on the same grounds.

CURRENT APPEALS

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Planning Committee Appeals Performance
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Planning Ref	Appeal Ref	PINS Reference	Status	Address	Proposal
23/01234/FUL	24/00024/REF	APP/P3610/W/24/3346386	Pending	1 Wheelers Lane, Epsom	New dwelling
24/00917/CLP	24/00043/REF	APP/P3610/X/24/3352350	Pending	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
24/01001/TPO	24/00049/NONDET		Received	Ridgescourt, The Ridge, Epsom	Tree works
24/00346/FUL	24/00052/REF	APP/P3610/W/24/3355981	Pending	Hobbledown, Horton Lane, Epsom	Waterplay park
24/01249/FUL	24/00055/REF	APP/P3610/W/24/3356732	Pending	Land Adjacent To Epsom	Communications hub
24/01250/ADV	24/00056/REF	APP/P3610/Z/24/3356733	Pending	Gateway, Ashley Avenue, Epsom	Communications hub
24/01254/ADV	24/00058/REF	APP/P3610/Z/24/3356735	Pending	Capitol Square, 2-6 Church Street, Epsom	Communications hub
24/01253/FUL	24/00057/REF	APP/P3610/W/24/3356734	Pending	Epsom	Communications hub
24/01264/CLE	24/00059/REF	APP/P3610/X/24/3357306	Pending	329 London Road, Ewell	Hip to gable
24/01312/FUL	24/00060/REF	APP/P3610/W/24/3357667	Pending	10 High Street, Epsom	Change to shopfront
24/01315/ADV	24/00061/REF	APP/P3610/Z/24/3357797	Pending	10 High Street, Epsom	Advertising signage
24/00131/BOC	25/00005/ENF	APP/P3610/C/24/3357839	Received	10 High Street, Epsom	Enforcement notice for shopfront
24/00568/FUL	25/00006/REF	APP/P3610/W/25/3359376	Pending	Langley Bottom Farm, Langley Bottom	New dwelling
24/01228/FLH	25/00008/REF	APP/P3610/D/25/3361627	Pending	64 Grosvenor Road, Epsom	Rear extension and raising of roof
24/00282/COU	25/00009/ENF	APP/P3610/C/25/3361942	Pending	R/o 11 Woodlands Road, Epsom	Enforcement notice for outbuilding
24/00066/COU	25/00010/ENF	APP/P3610/C/25/3362490	Pending	185 Kingston Road, Ewell	CoU to motorcycle repairs
25/00158/ADV	25/00012/REF	APP/P3610/Z/25/3364400	Pending	Station Approach, Epsom	Communications hub
25/00157/ADV	25/00013/REF	APP/P3610/Z/25/3364412	Pending	42-44 East Street, Epsom	Communications hub
25/00035/FLH	25/00014/REF	APP/P3610/D/25/3365486	Pending	212 Ruxley Lane, West Ewell	Side and rear extension
25/00172/FUL	25/00015/REF	APP/P3610/W/25/3366439	Representations	57A Upper High Street, Epsom	New flat building
24/01630/FUL	25/00016/REF	APP/P3610/W/25/3366793	Representations	81 College Road, Epsom	Backland dwelling
25/00223/FUL	25/00018/REF	APP/P3610/W/25/3367391	Representations	40 High Street, Ewell	Rear extensions to listed building
25/00242/FLH	25/00019/REF	APP/P3610/D/25/3367695	Received	59 Church Street, Epsom	Enclosure of porch to listed building