

PLANNING AND ENFORCEMENT APPEALS PERFORMANCE REPORT

Report	Summary of all Planning and Enforcement Appeal Decisions and Current Appeals
Period	January to May 2026
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Date of Report	11/05/2026
Appeals Determined	16 (13 dismissed, 3 upheld) – 81%
Costs Appeals Determined	1 (1 dismissed) – 100%

SUMMARY

Item	Address	LPA Ref	PINS Ref	Proposal	Decision
1	329 London Road, Ewell	24/00059/REF	APP/P3610/X/24/3357306	Hip to gable conversion	Dismissed
2	10 High Street, Epsom	24/00060/REF	APP/P3610/W/24/3357667	Alterations to shopfront	Dismissed
3		24/00061/REF	APP/P3610/Z/24/3357797	Advertising signage	Dismissed
4		25/00005/ENF	APP/P3610/C/24/3357839	Unauthorised changes to shopfront (notice)	Dismissed
5	Station Approach, Epsom	25/00012/REF	APP/P3610/Z/25/3364400	Communications hub	Upheld
6	42-44 East Street, Epsom	25/00013/REF	APP/P3610/Z/25/3364412	Communications hub	Dismissed
7	21 West Street, Ewell	25/00024/COND	APP/P3610/W/25/3371621	Window condition	Upheld
8	26 Church Road, Epsom	25/00028/REF	APP/P3610/D/25/3376126	Hip to gable conversion	Dismissed
9	26 Lansdowne Road, West Ewell	25/00030/REF	APP/P3610/W/25/3376195	Materials discharge	Upheld
10	26 Lansdowne Road, West Ewell	25/00030/REF	APP/P3610/W/25/3376195	Costs application	Dismissed
11	49 Pine Hill, Epsom	25/00032/REF	6003178	Side extension	Dismissed
12	388 Chessington Road, West Ewell	25/00031/REF	6002166	Four dwellings	Dismissed
13	66 Worple Road, Epsom	26/00001/REF	6003447	Rear extension, wall, and carport	Dismissed
14	47 Holmwood Road, Cheam	24/00031/REF	APP/P3610/X/25/3373465	Raised terrace and balcony (CLP)	Dismissed
15	185 Kingston Road, Ewell	25/00010/ENF	APP/P3610/X/25/3362490	Unauthorised use as motorcycle repair (notice)	Dismissed
16	6A Church Street, Epsom	26/00009/REF	6005095	Communications hub	Dismissed
17		26/00010/REF	6005096	Communications hub	Dismissed

DETAILS

1. 329 London Road, Ewell (dismissed)

- 1.1. The appeal is for a certificate of lawfulness for a hip to gable loft extension with rear dormer. Because it was retrospective in nature, the Council's contentions were that an openable side window and varied materials, as constctued, did not comply with the conditions in Part 1, Class A of the GPDO. The Inspector agreed and dismissed the appeal.

2. 10 High Street, Epsom (dismissed)

- 2.1. This appeal involved a retrospective proposal to alter a shopfront on Epsom High Street, within Epsom Town Conservation Area. The original curved Neo-Georgian shopfront was removed and replaced with a glass frontage. The application was refused due to harm to the Conservation Area.
- 2.2. The Inspector found that "the original shopfront was a key feature of the appeal building that contributed strongly towards the historic and architectural character of the CA" and "the loss has impoverished the character and appearance of the CA and reduced its historic appeal."
- 2.3. In terms of the replacement shopfront, it "is glazed with large panes in a modern design and has a large shiny fascia and projecting black frame. Lighting from the interior dominates the shopfront in its views from the High Street. The large black fascia has overtly modern and unsympathetic wide projecting lettering that is out of keeping in the historic area and which diminishes the façade. The projecting box shutter is unsightly. When the shutter is closed it would largely obscure the shop and, in my judgement, it would give this part of the streetscene a deadened and unoccupied appearance harmful to its character."
- 2.4. There were insufficient public benefits to outweigh harm and the appeal was dismissed.

3. 10 High Street, Epsom (dismissed)

- 3.1. This is a linked appeal relating to advertising signage for the same shopfront. It was refused by the Council because of harm to the conservation area. The Inspector noted that "large dominating text of the new signage, its internal illumination and the box-like appearance of the projecting side sign amount to excessive and visually prominent harsh features which do not preserve the character or appearance of the CA." The appeal was dismissed.

4. 10 High Street, Epsom (dismissed)

- 4.1. The appeal relates to an enforcement notice (linked to the two appeals above) requiring removal of the offending signage and reinstatement of the original shopfront. An enforcement notice was issued on 29 November 2024. The appeal was on ground (g) only – that 3 months to comply was insufficient owing to

finance and because an application would be submitted. However, no financial details were submitted, and the applications were refused (and dismissed). The appeal was dismissed. The period for compliance is 24 May 2026, and no works have yet commenced.

5. 5 Station Approach (upheld)

- 5.1. The appeal relates to a communications hub/illuminated advertising structure outside Epsom Train Station. The Council refused the application, as it has for other proposals in Epsom, because of clutter to the streetscene.
- 5.2. The Inspector disagreed with the Council and upheld the appeal, noting that “The scale of the advertisement would be modest relative to that of nearby buildings. The modern appearance of them and the station entrance, together with the position of the proposal relatively close to walls, would ensure that it would have an appropriate backdrop. Illumination would sit acceptably in what is a well-lit area...It would not therefore appear as unacceptable visual clutter and would respect the character of the townscape.”
- 5.3. This is the first successful appeal for an advertising structure of this nature.

6. 42-44 East Street, Epsom (dismissed)

- 6.1. The appeal relates to a communications hub/illuminated advertising structure on East Street heading north from the town centre. The Council refused the application because of clutter to the streetscene.
- 6.2. Unlike the previous appeal, the Inspector noted that “there is a lack of retail uses and associated advertisements other than for a modest amount of signage which is mostly associated with immediate offices and services. As such the surrounding area is largely free of advertisements” and that the proposal “would juxtapose against the otherwise mostly open nature of the street scene. As such the advertisement would not protect the character of the townscape.”
- 6.3. There were insufficient public benefits (community and emergency advertising) to outweigh the harm and the appeal was dismissed.

7. 21 West Street, Ewell (upheld)

- 7.1. The appeal relates to a condition imposed on a planning application for secondary glazing to windows in the front elevation in lieu of UPVC replacement window frames. The condition was originally imposed to protect the setting of the building in the Ewell Village Conservation Area.
- 7.2. The Inspector noted that “the simple architectural detailing of the modest, vernacular cottages and retained features including the traditional sash windows to the front of the appeal dwelling nevertheless make some contribution to the character, appearance and thus the significance of the CA” and that “the casement design of the replacement windows indicated in the original application

details would stand out as incongruously modern and awkward against the traditional design and detailing of the host terrace, particularly when seen adjacent to the sash windows to No 23.”

7.3. However, they also found that “...the overall impression would remain of sash windows of appropriately traditional design such that the contribution that the front windows make to the character of Ewell as a historic Surrey village would be maintained” and they “would not compromise the quality, character or appearance of the appeal dwelling and the contribution that it makes to the character, appearance and significance of the CA would be preserved.”

7.4. The appeal was upheld with a condition requiring further details of the window.

8. 26 Church Road, Epsom (dismissed)

8.1. The appeal related to a hip to gable loft conversion to an end of row terrace in the Church Road Conservation Area. The application was refused owing to harm to the dwelling and its setting in the row and that of the Conservation Area.

8.2. The Inspector noted that the site was highly visible and that the “extension would result in the loss of the original symmetrical roof form of Nos 20-26, unbalancing the existing terrace roofscape.” In the absence of any real public benefits, the appeal was dismissed.

9. 26 Lansdowne Road, West Ewell (upheld)

9.1. The original application involved alterations and additions to the house and was subject to a condition requiring details of materials. These details were submitted under a discharge application, and the Council viewed the roof tile (Spanish slate) to be out of context with the brown/red clay tiles in the area. The Inspector cited examples at 33 and 35 Lansdowne Road and found “the proposal reinforces rather than conflicts with the established character of the area” and the appeal was upheld.

10.26 Lansdowne Road, West Ewell (costs - dismissed)

10.1. A costs appeal was submitted by the applicant alleging lack of proactive engagement. The Inspector did not agree and the appeal was dismissed.

11.49 Pine Hill, Epsom (dismissed)

11.1. The appeal related to a ground floor rear extension and first floor side extension. The Council refused the application because of (1) an insufficient side setback creating a reduction in openness and (2) lack of a bat survey.

11.2. The Inspector agreed on both accounts – “In failing to maintain an adequate separation to the boundary, the proposal would be at odds with the prevailing pattern of development in Pine Hill” and “it has not been demonstrated that the

proposed development would not give rise to adverse impacts on protected species, specifically bats.” The appeal was dismissed.

12.388 Chessington Road, West Ewell (dismissed)

12.1. The appeal relates to the construction of four backland dwellings. The Council refused the application on six grounds – (1) inappropriate backland development, (2) harm to the character of the area, (3) harm to neighbour amenity, (4) lack of an ecology survey, (5) lack of BNG, namely deliberate degradation of the site, and (6) substandard amenity to one of four plots.

12.2. In describing the area, the Inspector referred to “the broadly consistent plot sizes and established greenery create a coherent development rhythm that contributes positively to the area’s character and appearance.”

12.3. In response to the reasons for refusal, the Inspector noted the following:

- The overall layout would fail to reflect the established pattern of frontage development and the prevailing rhythm of long interrupted rear gardens.
- The closer siting of the buildings to the plot boundaries would erode the sense of spaciousness that currently exists between the appeal site and adjacent plots
- The development would appear cramped and would fail to respect the form and character of the locality
- It has not been satisfactorily demonstrated that the proposed development would not result in a harmful effect on ecology, with particular reference to protected species
- I am not satisfied that the commentary (in the appellant’s BNG Assessment) demonstrates awareness of or provides certainty regarding any potential habitat degradation that may have occurred before that point (30 January 2020)
- The boundaries around No. 388 are relatively high and views would be oblique and limited to parts of those gardens only
- The internal layout would not result in cramped living conditions, even if four persons were to reside in each dwelling

12.4. The Inspector agreed with the Council in relation to reasons for refusal (1), (2), (4) and (5) and referred to the associated harm being “significant and weigh to a substantial extent against the scheme”, attracting substantial weight in the tilted balance. The appeal was dismissed.

13.66 Worple Road, Epsom (dismissed)

13.1. The appeal related to a single storey rear glazed extension, detached carport. alteration to fenestration and boundary wall. The Council objected to the fenestration, proposed carport and proposed boundary as discordant and obtrusive features that would cause unacceptable harm to the character and appearance of the host building and would fail to preserve the character and appearance of the Conservation Area.

13.2. The Inspector did not agree in terms of the impact arising from the windows – “satisfied the fenestration and the proportions of the windows are consistent with the appearance and form of the house, and the wider area where there is variety in window”, with the benefits (thermal efficiency) outweighing harm.

13.3. However, “A white painted block wall of the length shown would be a stark contrast to this. This would be emphasised by the uncomfortable junction with the existing long flint wall on the southern boundary of the lane” and the carport “would be a poor design in terms of materials, scale, form, and appearance, with no design cues from the area. It would be in a prominent position that is widely visible.”

13.4. Because of private benefits only, the latter aspects were dismissed. Consistent with the Council’s findings, the rear extension was allowed as part of the appeal.

14.47 Holmwood Road, Cheam (dismissed)

14.1. The appeal related to a lawful development certificate for a rear balcony and raised terrace. The applicant alleged that both elements were development subject to four years immunity. The Council accepted that the raised terrace had existed for more than four years but that the rear balcony was a departure from the plans approved in 2020 and was therefore subject to ten years immunity.

14.2. The Inspector agreed, noting that “The balcony is in the same place as permitted in the approved plans, just a few metres wider. As a matter of fact and degree, I find that this is a comparatively minor deviation rather than a substantial one.” For avoidance of doubt, it would not be a substantial deviation sufficient to be development without planning permission.

14.3. The appeal was dismissed on these grounds. Enforcement action is pending.

15.185 Kingston Road, Ewell (dismissed)

15.1. The appeal relates to an enforcement notice requiring the cessation of the use of the retail premises for a motorcycle repair workshop. An enforcement notice was issued on 3 March 2025. Following discussion with the Planning Inspectorate, the grounds for the appeal was whether there was in fact a material change of use of the land. The appellant’s argument was that the use was small scale and local and that there was no change of use from Class E, having regard to the previous use as a computer repair shop. As a matter of fact and degree, the Inspector agreed with the Council that the types of activities constituted a Class B Industrial use and the appeal against the notice failed. The period for compliance is 15 August 2026.

16.6A Church Street, Epsom (dismissed)

16.1. The appeal relates to a communications hub/illuminated advertising structure on Church Street. The Council refused the application because of clutter to the

streetscene and because there was a lack of detail to confirm that there would not be noise impact to nearby residents because the facility could be used to make phone calls.

16.2. The Inspector agreed on both counts, noting that “scale and location it would appear as a dominant and incongruous feature and would introduce visual clutter to an otherwise restrained and uncluttered street scene” and “I cannot be satisfied on the basis of the evidence submitted that the hub would not cause undue disturbance to residents, particularly during the evening and overnight when background noise levels may be relatively low.”

16.3. The public benefit, including provision of WiFi etc and removal of other payphones in Epsom, were given moderate and limited weight respectively. On the latter, the Inspector agreed that the two payphones to be removed were too far from the site to provide any real benefit. Like two other appeal decisions for this location, the appeal was dismissed.

17.6A Church Street, Epsom (dismissed)

17.1. This is a linked appeal relating to advertisement signage for the same location. The Inspector found similar harm – “the electronic display would unacceptably increase visual clutter which would be harmful to the visual amenity of the area” and other advertising in the locality and appeal decisions in other boroughs were not entirely relevant for justifying allowing the appeal.

CURRENT APPEALS

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Planning Ref	Appeal Ref	PINS Reference	Status	Address	Proposal
22/00385/TPO	23/00007/COND	Pending	Valid	Burnside, Vernon Close, W Ewell	Felling of Oak
22/01810/TPO	23/00019/REF	Pending	Valid	21 Chartwell Place, Epsom	Felling Ash
23/00302/TPO	23/00031/REF	Pending	Valid	5 Poplar Farm Close, W Ewell	Part tree removal
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	Pending	Received	Ridgecourt, The Ridge, Epsom	Tree works
24/00282/COU	25/00009/ENF	APP/P3610/C/25/3361942	Pending	Rear of 11 Woodlands Road, Epsom	Enforcement notice for use of outbuilding as a dwelling
25/01064/CLP	25/00027/REF	APP/P3610/X/25/3375600	Pending	107 Hookfield, Epsom	Hip to gable conversion
25/01068/CLP	25/00029/REF	APP/P3610/X/25/3376179	Pending	27A Chartwell Place, Epsom	Hip to gable conversion (CLP)
25/00606/CLP	25/00026/REF	APP/P3610/X/25/3375637	Pending	12 Stoneleigh Crescent, Stoneleigh	Widening of crossover
23/00109/BOC	26/00002/ENF	APP/P3610/C/26/3377542	Pending	87-89 Amis Avenue, Epsom	Enforcement notice
25/01203/REM	26/00003/REF	6004288	Pending	59 The Warren, Worcester Park	Change to roof form
25/01096/REM	26/00005/REF	6004732	Pending	57 - 61 High Street, Ewell	Approval of materials
25/01366/FLH	26/00006/REF	6004918	Pending	14 Edenfield Gardens, Worcester Park	Front wall and change to hardstanding
25/00535/HEG	26/00007/REF	APP/HH/2385	Received	19 West Gardens, Ewell	High hedge
25/01412/ADV	26/00012/REF	6005100	Pending	20-38 East Street, Epsom	Communications hub
25/01411/FUL	26/00011/REF	6005099	Pending	20-38 East Street, Epsom	Communications hub
25/01321/CLP	26/00008/REF	APP/P3610/X/26/3377886	Pending	8B The Hawthorns, Ewell	Hip to gable extension
25/01413/FUL	26/00013/REF	6005154	Pending	34 - 36 Upper High Stret, Epsom	Communications hub
25/01405/FUL	26/00014/REF	6005158	Pending	Outside Tesco Express, Epsom	Communications hub
25/01406/ADV	26/00016/REF	6005159	Pending	Outside Tesco Express, Epsom	Communications hub
25/01414/ADV	26/00015/REF	6005155	Pending	34 - 36 Upper High Stret, Epsom	Communications hub
25/01225/FLH	26/00017/REF	6005459	Pending	6 Chalk Lane, Epsom	Side and rear extension
25/01226/LBA	26/00018/REF	6005460	Pending	6 Chalk Lane, Epsom	Side and rear extension
25/01172/REM	26/00019/REF	6005504	Pending	McDonalds, 36-40 High St, Epsom	Extension to trading hours
25/00827/REM	26/00020/REF	6005543	Pending	346 Chessington Rd, West Ewell	Relocation of access
25/00975/FLH	26/00021/REF	6006086	Received	8 Barrow Hill Cl, Worcester Park	Rear first floor balcony
25/01328/ADV	26/00022/REF	6006119	Pending	242 Ruxley Lane, West Ewell	LED signage
25/01288/FUL	26/00025/REF	6006368	Statement	15 Corner House Parade, Ewell	Replacement shopfront
25/01360/FUL	26/00024/REF	6006401	Pending	11 Danetree Road, West Ewell	Conversion to 1 bed unit
26/00014/REM	26/00023/REF	6006399	Pending	56 Harefield Avenue, Cheam	Front porch extension

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25/01487/FUL	26/00026/REF	6006829	Statement	344 Chessington Rd, West Ewell	Relocation of access
25/01308/FLH	26/00028/REF	6007822	Received	60 West Hill, Epsom	New door and windows
26/00005/FUL	26/00029/REF	6007964	Statement	405 Kingston Road, Epsom	New dwelling in roof