

PLANNING APPEALS REPORT

Report	Summary of all Planning Appeal Decisions and Current Appeals
Period	April-August 2026
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Date of Report	02/09/2026
Appeals Determined	21 (including linked appeals) – 17 dismissed (81%)
Costs Appeals Determined	1 costs application by EEBC (Awarded)

SUMMARY

Item	Address	LPA Ref	PINS Ref	Proposal	Decision
1	185 Kingston Road, Ewell	25/00010/ENF	APP/P3610/C/25/3362490	CoU to motorcycle repairs (enf notice)	Dismissed
2	The Ridge, Epsom	26/00033/REF	APP/TPO/P3610/10380	Felling of multiple trees	Part dismissed
3	Rear of 11 Woodlands Road, Epsom	25/00009/ENF	APP/P3610/C/25/3361942	CoU of outbuilding to dwelling (enf notice)	Upheld
4	59 The Warren, Worcester Park	26/00003/REF	6004288	Change to roof form	Upheld
5	20-38 East Street, Epsom	26/00012/REF	6005100	Communications hub	Upheld
6	20-38 East Street, Epsom	26/00011/REF	6005099	Communications hub	Upheld
7	6A Church Street, Epsom	26/00010/REF	6005096	Communications hub	Dismissed
8	6A Church Street, Epsom	26/00009/REF	6005095	Communications hub	Dismissed
9	34 - 36 Upper High Stret, Epsom	26/00013/REF	6005154	Communications hub	Dismissed
10	34 - 36 Upper High Stret, Epsom	26/00015/REF	6005155	Communications hub	Dismissed
11	Outside Tesco Express, Epsom	26/00014/REF	6005158	Communications hub	Dismissed
12	Outside Tesco Express, Epsom	26/00016/REF	6005159	Communications hub	Dismissed
13	6 Chalk Lane, Epsom	26/00017/REF	6005459	Side and rear extension	Dismissed
14	6 Chalk Lane, Epsom	26/00018/REF	6005460	Side and rear extension	Dismissed
15	McDonalds, 36-40 High Street, Epsom	26/00019/REF	6005504	Extension to trading hours	Dismissed
16	346 Chessington Road, West Ewell	26/00020/REF	6005543	Relocation of access	Dismissed
17	344 Chessington Road, West Ewell	26/00026/REF	6006829	Relocation of access	Dismissed
18	8 Barrow Hill Close, Worcester Park	26/00021/REF	6006086	Rear first floor balcony	Withdrawn

19	242 Ruxley Lane, West Ewell	26/00022/REF	6006119	LED signage	Dismissed
20	5 Corner House Parade, Ewell	26/00025/REF	6006368	Replacement shopfront	Upheld
21	11 Danetree Road, West Ewell	26/00024/REF	6006401	Conversion to 1 bed unit	Dismissed
22	56 Harefield Avenue, Cheam	26/00023/REF	6006399	Front porch extension	Dismissed
23	60 West Hill, Epsom	26/00028/REF	6007822	New door and windows	Dismissed
24	405 Kingston Road, Epsom	26/00029/REF	6007964	CoU of offices to dwelling	Dismissed
25	405 Kingston Road, Epsom	26/00029/REF	6007964 (Costs)	CoU of offices to dwelling	Full Costs Awarded to EEBC
26	Prestwyche, 62 West Drive, Cheam	26/00047/REF	6011820	Double hip to gable and rear dormer	Upheld
27	14 Edenfield Gardens	26/00006/REF	6004918	Front wall and gate	Dismissed

DETAILS

1. 185 Kingston Road, Ewell (dismissed - notice upheld)

- 1.1. 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 notice has since been complied with.

2. The Ridge, Epsom (part dismissed)

- 2.1. The appeal related to an application for tree works to 42 protected trees covered under TPO96 at The Ridge in Epsom. The Council refused consent to fell T1379 Sweet Chestnut and Lime T1338 due to lack of justification and a denuding of the streetscene and granted lesser works to numerous other trees. Due to progression of decay in the Lime, approval was granted for the removal of this tree, with the agreement of the Council. The Inspector agreed with the Council with respect to the Sweet Chestnut. As such, the appeal was part upheld.

3. Rear of 11 Woodlands Road, Epsom (upheld – notice quashed)

- 3.1. The appeal related to an enforcement notice issued by the Council in relation to the unauthorised change of use of an approved outbuilding for use as a single dwelling. The Council's notice required cessation of the use of the outbuilding as a dwelling. The appeal related to grounds (b), (c) and (d), in that the incorrect planning unit was

indicated and that the breach had not occurred on account of it being more than four years since the breach occurred. The Council contended that the correct time period was 10 years as it was a breach of condition.

- 3.2. The appeal was upheld and the notice was quashed. The Inspector agreed with the appellant that the planning unit was incorrectly specified and should have specified the fenced area of the dwelling rather than inclusive of the existing host dwelling. The Inspector also agreed that the correct time period was four years because the Council had not referenced that the notice related to a breach of condition. There was sufficient evidence to indicate that the change of use occurred more than four years before the notice was issued.

4. 59 The Warren, Worcester Park (upheld)

- 4.1. Planning permission was granted in December 2023 for single storey front, side and rear extensions. The development was then constructed not in accordance with the approved plans. Enforcement involvement followed and a s73 variation application was submitted. The Council refused the application arguing that the changes to the height and form of the eaves and the main ridge had a detrimental impact on the character of the area, which consists mostly of bungalows. The Inspector did not agree and upheld the appeal.

5. 20-38 East Street, Epsom (upheld)

- 5.1. The appeal related to a double-sided LED advertising screen. The Council refused the application, as it has done so on all other similar applications” due to the harm to the character of the area, namely clutter. The Inspector did not agree, noting that “Given the mixed nature of commercial uses in the surrounding area, other advertisements and signage, in combination with the road’s busy character arising from its proximity to the town centre, I do not find the proposal would be at odds with the local character, but would reinforce it.”
- 5.2. The Inspector differentiated this appeal from a previous dismissed appeal further along East Street by stating that “this Hub would be positioned away from the bus stop and associated items.” The appeal was upheld. Concerns raised by objectors in relation to harm to the listed building and harmful exposure were dismissed.

6. 20-38 East Street, Epsom (upheld)

- 6.1. The appeal related to an advertisement consent for the same works and was upheld.

7. 6A Church Street, Epsom (dismissed)

- 7.1. The appeal related 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.

- 7.2. 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.”
- 7.3. 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.

8. 6A Church Street, Epsom (dismissed)

- 8.1. The appeal related to an advertisement consent for the same works and was dismissed.

9. 34 - 36 Upper High Stret, Epsom (dismissed)

- 9.1. The appeal related to a double-sided LED advertising screen. The Council refused the application due to the harm to the character of the area, namely clutter. The Inspector did not agree, noting that “Due to its overall size, solid appearance and prominent location adjacent to a busy road, the proposed street hub would appear dominant and discordant in the street scene” and that “There is no substantive evidence that this additional illumination would improve public safety in a town centre location with street lighting.” The appeal was dismissed, including when having regard to public benefits, which were limited in their nature but did include the removal of unused phone boxes elsewhere in the borough.

10. 34 - 36 Upper High Stret, Epsom (dismissed)

- 10.1. The appeal related to an advertisement consent for the same works and was dismissed.

11. Outside Tesco Express, Epsom (dismissed)

- 11.1. The appeal related to a double-sided LED advertising screen. The Council refused the application due to the harm to the character of the area, namely clutter but also due to harm to living conditions (noise from people using the facility). The Inspector did have regard to a recent appeal decision allowing a similar advertising screen in very near proximity. This had been erected and taken into account when considering the surrounding context.
- 11.2. The subject appeal was for a 600mm taller and 100mm wider screen and “despite its modern design with a narrow profile, its significant height and overall scale would result in an overly prominent addition to the area”. The Inspector did not agree with the Council with respect to any harm to living conditions.

- 11.3. The appeal was dismissed, including when having regard to public benefits, which were limited in their nature such as provision of public facilities such as WiFi and USB charging.

12. Outside Tesco Express, Epsom (dismissed)

- 12.1. The appeal related to an advertisement consent for the same works and was dismissed.

13. 6 Chalk Lane, Epsom (dismissed)

- 13.1. The appeal relates to a two-storey extension to the rear of a Grade II listed building. The reasons for refusal referred to harm to the listed building and that of adjoining listed buildings at 2, 4, 8 and 10 Chalk Lane and the impact on living conditions of 4 Chalk Lane (outlook).
- 13.2. In an extensive decision, the Inspector noted that “Drawing these matters together then, I find that the proposal taken as a whole would not preserve the host listed building 6 Chalk Lane and there would be harm to its special interest and significance. There would also be harm to the special interest and significance of 2 and 4 Chalk Lane. However, I do not identify harm to the significance of 8 and 10 Chalk Lane” but not that there would be adverse harm to the outlook of 4 Chalk Lane. In assessing “low level” less than substantial harm, the extent of public benefits was cited as improved living conditions and restoration of the listed building, both dismissed as not having any real evidence. The appeal was therefore dismissed.

14. 6 Chalk Lane, Epsom (dismissed)

- 14.1. The appeal related to a listed building consent application for the same works. The appeal was considered as a linked appeal.

15. McDonalds, 36-40 High Street, Epsom (dismissed)

- 15.1. The appeal related to a s73 application to vary a 1987 permission limiting trading at McDonalds to 6am-1am, with the variation seeking trading 24 hours a day. The Council refused the application owing to noise, antisocial behaviour and pedestrian safety (parking of delivery bikes on the footpath).
- 15.2. On noise, the Inspector referred to the Noise Report and concluded that “customers would make their way to and from the premises on foot and motorised delivery scooters would arrive and leave with their drivers waiting outside at times when they do not currently do so.” On anti-social behaviour, the Inspector had regard to objections from Surrey Police and the Council’s EH team and agreed that “The appeal scheme would attract customers after clubs and public houses have closed. It would result in people remaining in the area for longer than at present, increasing the risk of ASB and undermining initiatives to address this issue”. On pedestrian safety, it was accepted that SCC did not object to the application on these grounds but “I cannot be certain that the proposal would not result in motorised scooters being

driven onto and parked on the footway during the extended hours of operation, causing an obstruction and danger to pedestrians.”

- 15.3. Economic growth, employment and local spend was noted as a public benefit. Whilst referring to other appeal decisions, the Inspector noted the noise issues were significant and the overall harm did not outweigh the benefits and the appeal was dismissed.

16. 34 Chessington Road, West Ewell (dismissed)

- 16.1. On the backland site is a single storey dwelling, approved at appeal in 2019. It was approved with vehicular access via Danetree Close and has since been constructed but is not occupied. Access is no longer possible via Danetree Close as it includes land not within their ownership.
- 16.2. This application instead sought to have access via an existing driveway to Chessington Road. The driveway already existed and served the neighbouring property. The Council refused the application, stating that they could not consider an application where no development was being proposed. The Inspector agreed, noting that it “does not comprise building or engineering operations, a material change in the use of the land or any other type of works included within the meaning of development in section 55 of the Act.” The appeal was dismissed.

17. 344 Chessington Road, West Ewell (dismissed)

- 17.1. The appeal relates to providing access to the same backland site. The s73 application proposed to use the existing driveway to Chessington Road, without complying with the approved conditions which required access and splays onto Danetree Close. The Council refused the application because it would have substantially altered the red line plan of the approved scheme. The Inspector agreed, noting that “I conclude that the proposal would require a change to the red line boundary. As such it falls outside the scope of section 73 of the Act5, and therefore a new planning application is required.”

18. 8 Barrow Hill Close, Worcester Park (rejected)

- 18.1. The appeal relates to a part one/part two storey rear extension. The Council refused the appeal, in part, because it extended over the boundary onto neighbouring land and the correct service of Certificate B on the adjoining landowner was not provided. The Planning Inspectorate refused to consider the appeal on these grounds.

19. 242 Ruxley Lane, West Ewell (dismissed)

- 19.1. The appeal site is Save Petrol Station on the primary intersection of Chessington Road and Ruxley Lane. The application proposed a 6m x 3m LED advertisement screen sitting 1.5m above the ground. The Council refused the application on account of harm to the area, citing that the signage was excessively large and tall. The Inspector agreed, dismissing the appeal, noting that “it would appear visually dominant due to its scale and elevated position. Furthermore, its effect would be

accentuated by the illuminated screen and rotating images which would inevitably draw the eye as a feature that is not characteristic of the area” and it “would be visually discordant within the predominantly residential surroundings.”

20. 5 Corner House Parade, Ewell (upheld)

20.1. The shopfront is at the end of a row of shops at Corner House Parade. Enforcement investigations indicated that the shopfront was altered without planning permission, and an application was submitted to regularise the works. The Council refused the application due to harm to the Conservation Area. The Inspector accepted that “the loss of the reeded glass transom lights is unfortunate as is the use of non-traditional materials, although I acknowledge the appellant’s contention that the state of disrepair of the frontage and its thermal inefficiency required replacement” but also argued that it should “be balanced against the fact that the overall design retains much of the appearance of the original and that the wider character of the parade of shops reflects substantive change over time.” The appeal was upheld.

21. 11 Danetree Road, West Ewell (dismissed)

21.1. The application sought approval for the conversion of a roof space as a 1 bed dwelling, with side dormer, rooflights and solar panels. The Council refused the application owing to over development – materialising in the top-heavy development, lack of outdoor amenity space and lack of on-site parking. The Inspector concurred on all counts, dismissing the appeal with the following observations:

- The dormer would “disrupt the generally consistent and unaltered roofscape to the front in the street scene”
- “It has not been demonstrated that there are site-specific or insurmountable constraints which would prevent the provision of suitable amenity space for future occupiers”
- “Given the limited availability of on-street parking in the vicinity, and the anticipated high level of traffic activity during school pick-up and drop-off periods, the failure to provide a dedicated off-street parking space, contrary to the advice in the SPD, would likely add to parking stress on the surrounding streets.”

22. 56 Harefield Avenue, Cheam (dismissed)

22.1. The appeal relates to a pitch extension, with the main issue being its impression on the character of the area. Whilst most houses on the street had porches, “the form to further depart from the established character of the street and area”. The appeal was dismissed.

23. 60 West Hill, Epsom (dismissed)

23.1. The application proposed uPVC windows and doors to the front elevation of a dwelling in the Stamford Green Conservation Area. It was refused due to harm to the Conservation Area. The Inspector agreed, noting that “Given the prominence of the front elevation in key townscape views, these alterations are materially at odds with

the established character and appearance of the semi-detached pair and the wider cohesive group, where the prevailing form is that of timber-framed sliding sash windows.”

- 23.2. The Inspector noted that other properties in the area had uPVC windows but also argued that there was no evidence in relation to what policies these were approved under or whether any permission existed. Thermal performance and insulation were considered as a public benefit but there was no substantial evidence illustrating that they were installed on these grounds.

24. 405 Kingston Road, Epsom (dismissed)

- 24.1. The appeal related to the change of use of an existing office building to the rear of the site to a residential dwelling. The reasons for refusal and issues in the appeal were the loss of an employment use and substandard internal space. It was largely identical to an application dismissed at appeal in October 2025.
- 24.2. In that application, the appellant failed to demonstrate that the employment use had been marketed appropriately, and the Inspector dismissed the appeal in part because of a failure to comply with policy. A new application was submitted and the issue remained unresolved. Owing to the previous appeal decision, the appeal was dismissed.

25. 405 Kingston Road, Epsom (full costs awarded)

- 25.1. The Council sought a full award of costs on account of this being the third such appeal of this nature (with two in the past 12 months), with no attempt to address the key reason for refusal – that there was no marketing evidence that the office use could not be let. The Inspector agreed, awarding a full award of costs.

26. Prestwyche, 62 West Drive, Cheam (upheld)

- 26.1. The Council refused an application for a double hip to gable conversion with rear dormer and front rooflights because it cumulatively caused a top-heavy development. The Inspector disagreed, finding no real harm “regardless of being seen from adjacent gardens and the playing fields to the north the development.”

27. 14 Edenfield Gardens, Worcester Park (dismissed)

- 27.1. The appeal related to an application for the replacement of an existing front wall of about 45cm high with a brick pier wall to 1.65m high with metal gates. The Council refused the application because it was out of context on a street of low walls and fences. The Inspector dismissed the appeal, noting the importance of reinforcing local distinctiveness and character. An enforcement notice will follow if the fence is not removed.

CURRENT APPEALS

Planning Committee Appeals Performance
10 September 2026

Planning Ref	Appeal Ref	PINS Reference	Status	Address	Proposal
22/00385/TPO	23/00007/COND	Pending	Valid	Rear of Burnside, Vernon Close, West Ewell	Felling of Oak (T19 of TPO 77 and T12 of TPO 317)
22/01810/TPO	23/00019/REF	Pending	Valid	21 Chartwell Place, Epsom	Felling of 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
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 Cres, Stoneleigh	Widening of crossover
23/00109/BOC	26/00002/ENF	APP/P3610/C/26/3377542	Pending	87-89 Amis Avenue, Epsom	Enforcement notice
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	Site Visit 16 Sep	19 West Gardens, Ewell	High hedge appeal
25/01321/CLP	26/00008/REF	APP/P3610/X/26/3377886	Pending	8B The Hawthorns, Ewell	Hip to gable extension
25/00846/OUT	26/00027/REF	6006971	Inquiry 15 Sept	Farm View, Langley Vale Road, Epsom	110 dwellings (outline)
25/01418/OUT	26/00031/REF	6010565	Pending	11 Ruxley Close, West Ewell	New dwelling (outline)
26/00128/REM	26/00030/REF	6010546	Pending	39 Gayfere Road, Stoneleigh	Change to materials and design
26/00415/TPO	26/00032/REF	6010959	Pending	5 Malvern Court, Epsom	Reduce Corsican Pine
25/01418/OUT	26/00031/REF	6010565	Pending	R/o 11 Ruxley Close, Epsom	New dwelling (outline)
26/00222/T56	26/00046/REF	6011454	Pending	Cheam Road, Cheam	New telecommunications mast
26/00439/FLH	26/00045/REF	6011091	Pending	20 Bradford Drive, Ewell	Side extension, hip to gable, rear extension
26/00325/FLH	26/00048/REF	6013947	Pending	9 Buxton Close, Epsom	Garage conversion
26/00367/FUL	26/00049/REF	6014057	Pending	64 High Street, Epsom	Communications hub
26/00368/ADV	26/00050/REF	6014058	Pending	64 High Street, Epsom	Communications hub
26/00325/FLH	26/00048/REF	6013947	Pending	9 Buxton Close, Epsom	Garage conversion
26/00160/FUL	26/00052/NONDET	6014713 (non-determination)	Received	107 Dorking Road, Epsom	New dwelling
26/00416/LBA	26/00051/NONDET	6014731 (non-determination)	Received	11 Woodcote Road, Epsom	Damp proofing and windows