

Committee: Planning Applications

Date: 22nd August 2019

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Recommendation: That Members note the contents of the report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report but can be viewed by following each individual link. Other agenda papers for this meeting can be viewed on the Committee Page of the Council Website via the following link:

[LINK TO COMMITTEE PAGE](#)

DETAILS

Application Numbers: **18/P3177**
Site: 206 Lavender Avenue, Mitcham CR4 3HP
Development: Erection of a hip to gable and rear roof extension
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 15th July 2019

[Link to Appeal Decision Notice](#)

[Link to Costs Decision](#)

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Application Numbers: **18/P3617**
Site: 18 Arras Avenue, Morden SM4 6DF
Development: Conversion of Wyvern Youth Centre into 6 x flats (comprising 2 x 1 bed, 1 x 2 bed & 3 x 3 bed units) involving re-roofing, installation of skylights, new doors and window opening, with associated parking, refuse, landscaping and cycle store
Recommendation: Refuse (Committee Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 9th July 2019

[Link to Appeal Decision Notice](#)

[Link to Costs Decision](#)

Application Numbers: **17/P1602**
Site: Lee House, 2 Lancaster Avenue SW19 5DE
Development: Two storey extension to residential care home to provide 6 x additional en-suite bedrooms, plus additional communal areas, new reception area, alterations to roof and formation of new parking area.
Recommendation: Refuse (Committee Decision)
Appeal Decision: **SPLIT DECISION**
Decision Specifics: *Two-storey extension to provide 6 bedrooms is dismissed. New reception area, roof alterations and parking area are allowed*
Date of Appeal Decision: 11th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P3139**
Site: 5 Bewley Street, London SW19 1XF
Development: Erection of dormer windows to Blocks 3, 5 and creating 7 selfcontained flats within existing roofspace and erection of a single storey detached cycle store
Recommendation: Refuse (Committee Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 10th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P4522**
Site: Land at Priory Retail Park, 131 High St, Colliers Wood SW19 2PP
Development: Erection of 2 x single sided digital advertisements and associated logo boxes
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 5th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P4545**
Site: 94 Home Park Road, Wimbledon Park SW19 7HR
Development: Proposed is works to the roof (second floor) only: moving existing front dormer to align with oriel window below; increasing rear roof pitch, replacing existing rear elevation roof dormers like for like
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 4th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P3762**
Site: 391 Cannon Hill Lane, Raynes Park SW20 9HH
Development: Erection of a part single, part two storey side and rear extension and extension of existing rear roof extension
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 30th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2574**
Site: Former Sparrowhawk Site, 159 Commonsides East, Mitcham CR4 2QB
Development: Demolition of residential & office buildings and re-development to provide 29 flats with associated parking and landscaping
Recommendation: Refuse (Committee Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 18th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P1160**
Site: Overseas House, Unit F, Elm Grove Business Centre, Elm Grove, SW19 4HE
Development: Erection of a first floor rear extension
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 24th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P3744**
Site: 55 The Quadrant, Wimbledon Chase SW20 8SW
Development: Erection of a double side extension, a single storey rear extension and loft conversion
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 16th May 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P4027**
Site: 163 Coombe Lane, Raynes Park SW20 0QX
Development: Erection of a replacement dwellinghouse
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 3rd July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P4218**
Site: 118 Haydons Road, South Wimbledon SW19 1AW
Development: Demolition of existing store/WC at rear of the property to be replaced by a two storey store, WC and office space
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 26th July 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **19/P0658**
Site: 2 Orchard Close, Raynes Park, London SW20 9HU
Development: Erection of a rear roof extension
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 5th August 2019

[Link to Appeal Decision Notice](#)

Alternative options

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is redetermined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
1. That the decision is not within the powers of the Act; or
 2. That any of the relevant requirements have not been complied with;
(relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

1 CONSULTATION UNDERTAKEN OR PROPOSED

- 1.1. None required for the purposes of this report.

2 TIMETABLE - N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

4 LEGAL AND STATUTORY IMPLICATIONS

- 4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

- 6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 7.1. See 6.1 above.

8 BACKGROUND PAPERS

- 8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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