

Committee: Planning Applications

Date: 19th June 2014

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Wards: All

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Contact officer: Stuart Humphreys

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 seen on the Council web-site with the other agenda papers for this meeting at the following link:

http://www.merton.gov.uk/council/committee.htm?view=committee&com_id=165

DETAILS

Application Number: 12/P2584
Site: 382 London Road, Mitcham Surrey
Ward: Cricket Green
Development: Change of use of ground floor from estate agent to mini cab office
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 21st May 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000078000/1000078282/12P2584_Appeal%20Decision%20Notice.pdf

Application Number: 12/P3012
Site: Wimbledon Park Golf Club, Home Park Road, Wimbledon Park
Ward: Wimbledon Park
Development: Erection of 10m x 20m netting along part of car park
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 22nd April 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000078000/1000078685/12P3012_Appeal%20Decision%20Notice.pdf

Application Number: 13/P1163
Site: 336 Lynmouth Avenue, Morden, Surrey
Ward: Lower Morden
Development: Formation of raised decking in rear garden
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 20th May 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000080000/1000080177/13P1163_Appeal%20Decision%20Notice.pdf

Application Number: 13/P1164 and 13/P2148
Site: 10 Parkside Avenue, Wimbledon
Ward: Village
Development: Demolition of existing garages and erection of new dwellinghouse (with associated conservation area consent)
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 28th April 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000080000/1000080178/13P1164_Appeal%20Decision%20Notice.pdf

Application Number: 13/P1942
Site: Grenfell HA, 16 - 20 Kingston Road, Wimbledon
Ward: Abbey
Development: Retention until 31st May 2014 of the existing telecommunications equipment
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 27th May 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000080000/1000080913/13P1942_Appeal%20Decision%20Notice.pdf

Application Number: 13/P2913
Site: 1A Gordondale Road, Wimbledon Park
Ward: Wimbledon Park
Development: Partial demolition of existing office building and erection of three storey building comprising a live/work unit with integral garage.
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 23rd April 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000081000/1000081811/13P2913_Appeal%20Decision%20Notice.pdf

Application Number: 13/P3013
Site: 50 The Crescent, Wimbledon Park SW19 8AN
Ward: Wimbledon Park
Development: Prior Approval for single storey rear extension
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 19th May 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000081000/1000081904/13P3013_Appeal%20Decision%20Notice.pdf

Link to Costs Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000081000/1000081904/13P3013_Appeal%20Costs%20Decision.pdf

Application Number: 13/P3300
Site: 6 - 12 London Road, Morden, Surrey
Ward: Merton Park
Development: Variation to closing times of function hall, extending weekdays from 20:00 to 22:30 and Saturdays from 23:00 to 00:30
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 14th May 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000082000/1000082168/13P3300_Appeal%20Decision%20Notice.pdf

Application Number: 13/P3457
Site: 61 Eveline Road, Mitcham, Surrey
Ward: Lavender Fields
Development: Erection of single storey rear extension
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 23rd April 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000082000/1000082316/13P3457_Appeal%20Decision%20Notice.pdf

Application Number: 13/P3682
Site: 10 Rothesay Avenue, Wimbledon Chase
Ward: Merton Park
Development: Erection of rear roof extension
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 29th April 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000082000/1000082518/13P3682_Appeal%20Decision%20Notice.pdf

Application Number: 13/P3802
Site: 8 Wilton Crescent, Wimbledon
Ward: Colliers Wood
Development: Erection of two storey side extension and single storey rear extension
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 30th April 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000082000/1000082632/13P3802_Appeal%20Decision%20Notice.pdf

Application Number: 13/P4012
Site: 50 Wilton Crescent, Wimbledon
Ward: Dundonald
Development: Erection of single storey rear garage
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 16th May 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000082000/1000082827/13P4012_Appeal%20Decision%20Notice.pdf

Application Number: 14/P0049
Site: 16 Hamilton Road, South Wimbledon
Ward: Abbey
Development: Erection of rear roof extension with Juliette balcony, part first storey rear extension with Juliette balcony and single storey rear extension.
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 19th May 2014

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000083000/1000083023/14P0049_Appeal%20Decision%20Notice.pdf

1 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 re-determined.
- 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).

2 CONSULTATION UNDERTAKEN OR PROPOSED

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

3 TIMETABLE

- 3.1. N/A

4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

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

5 LEGAL AND STATUTORY IMPLICATIONS

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

6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 6.1. None for the purposes of this report.

7 CRIME AND DISORDER IMPLICATIONS

- 7.1. None for the purposes of this report.

8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 8.1. See 6.1 above.

9 BACKGROUND PAPERS

- 9.1. 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.