

Committee:	Planning Applications
Date:	14 th November 2024

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 Number	21/P2935
Appeal number:	APP/T5720/W/23/3333588
Site:	66 Central Road Morden SM4 5RP
Development:	ERECTION OF A PART TWO STOREY, PART SINGLE STOREY SIDE EXTENSION
Recommendation:	Allowed (Delegated)
Appeal Decision:	ALLOWED
Date of Appeal Decision:	21th August 2024

[**LINK TO DECISION**](#)

Application Number: 21/P3808
Appeal number: APP/T5720/W/23/3327104
Site: 225 Streatham Road Streatham London SW16 6NZ
Development: DEMOLITION OF SINGLE STOREY BUILDINGS (SHOPS AND GARAGE/WORKSHOP) AND ERECTION OF A STEEL FRAME SINGLE STOREY STRUCTURE FOR USE AS MOTOR REPAIRS (CLASS B2), PROVISION OF HAND CAR WASH BUSINESS (SUI GENERIS) AND CAR SALES (SUI GENERIS)
Recommendation: Refuse (Committee Decision)
Appeal Decision: DISMISSED
Date of Appeal Decision: 17th October 2024

[LINK TO DECISION](#)

Application Number: 21/P3898
Appeal number: APP/T5720/W/24/3333785
Site: 247 Northborough Road Streatham SW16 4TR
Development: DEMOLITION OF EXISTING DETACHED STORAGE BUILDING AND ERECTION OF A TWO STOREY REAR ADDITION TO PROVIDE 3 x SELF CONTAINED FLATS WITH BIKE AND BIN STORAGE
Recommendation: Refuse (Delegated)
Appeal Decision: DISMISSED
Date of Appeal Decision: 9th September 2024

[LINK TO DECISION](#)

Application Number: 23/E0045
Appeal number: APP/T5720/C/23/3320345
Site: Burn Bullock 315 London Road Mitcham
Development: The unauthorised material change of use of the public house main building and ancillary car parking to a large House of Multiple Occupation, car-repair and cleaning workshop, storage, scrapyards and stationing of mobile homes for residential accommodation (sui-generis) and installation of portacabins.
Appeal Decision: DISMISSED
Date of Appeal Decision: 13th August 2024

Application Number: 23/P0326
Appeal number: APP/T5720/W/24/3337450
Site: 1a Kenley Road Merton Park London SW19 3JJ
Development: DEMOLITION OF EXISTING GARAGES AND OUTHOUSE ON THE SITE AND THE ERECTION OF A NEW SINGLE STOREY DWELLING HOUSE WITH SUNKEN BEDROOM WITH ACCESS FROM KENLEY ROAD.
Recommendation: Allowed (Delegated)
Appeal Decision: DISMISSED
Date of Appeal Decision: 18th October 2024

[LINK TO DECISION](#)

Application Number: 23/P0657
Appeal number: APP/T5720/W/24/3337450
Site: 101 Christchurch Road Colliers Wood SW19 2FE
Development: ERECTION OF TWO ADDITIONAL STOREYS TO PROVIDE SIX ADDITIONAL FLATS ON EXISTING DETACHED BLOCK OF FLATS.
Recommendation: Refuse (Delegated)
Appeal Decision: DISMISSED
Date of Appeal Decision: 1st October 2024

[LINK TO DECISION](#)

Application Number: 23/P2130
Appeal number: APP/T5720/Z/24/3342821
Site: 19 The Broadway Wimbledon SW19 1PS
Development: INSTALLATION OF ADVERTISED COMMUNICATION HUB UNIT WITH DEFIBERILLATOR.
Recommendation: Refuse (Delegated)
Appeal Decision: DISMISSED
Date of Appeal Decision: 1st October 2024

[LINK TO DECISION](#)

Application Number: 23/P2525
Appeal number: APP/T5720/W/24/3336858
Site: 1 Castle Way Wimbledon SW19 5JN
Development: DEMOLITION OF EXISTING DETACHED SINGLE FAMILY DWELLING AND REPLACEMENT WITH 2 NEW SEMI-DETACHED FIVE BEDROOM DWELLINGS. BIN AND CYCLE STORES.
Recommendation: Refuse (Delegated)
Appeal Decision: DISMISSED
Date of Appeal Decision: 7th October 2024

[LINK TO DECISION](#)

Application Number: 23/P3127
Appeal number: APP/T5720/W/24/3340900
Site: 14A Finborough Road Tooting SW17 9HY
Development: CREATION OF ROOF TERRACE TO EXISTING SECOND FLOOR FLAT ROOF, WITH PRIVACY SCREEN AND REPLACEMENT OF WINDOW WITH DOOR TO TERRACE AREA.
Recommendation: Refuse (Delegated)
Appeal Decision: DISMISSED
Date of Appeal Decision: 30th August 2024

[LINK TO DECISION](#)

Application Number: 23/T0123
Appeal number: APP/TPO/T5720/9600
Site: 21 Southdown Drive West Wimbledon SW20 8EZ
Development: FELLING OF THE FOLLOWING PROTECTED TREES:
T26 - European Lime, Tilia europaea, Tiliaceae - TPO WIM10
T27 European Lime, Tilia europaea, Tiliaceae - TPO WIM10
Recommendation: Refuse (Delegated)
Appeal Decision: DISMISSED
Date of Appeal Decision: 19th August 2024

Application Number: 24/P0078
Appeal number: APP/T5720/D/24/3343579
Site: 18 Litchfield Avenue Morden SM4 5QS
Development: ERECTION OF A SINGLE STOREY FRONT, SIDE AND REAR EXTENSION, INCLUDING A PORCH

Recommendation: Refuse (Delegated)
Appeal Decision: ALLOWED
Date of Appeal Decision: 3rd October 2024

[LINK TO DECISION](#)

Application Number: 24/P0208
Appeal number: APP/T5720/W/24/3345221
Site: 200 Manor Road Mitcham CR4 1JF

Development: PROPOSED ERECTION OF A ROOF TERRACE AND CONVERSION OF EXISTING DWELLING TO 1 x 3 BEDROOM FLATS AND 1 x 2 BEDROOM FLAT TOGETHER WITH AMENITY SPACES AND WASTE AND CYCLE STORAGES.

Recommendation: Refuse (Delegated)
Appeal Decision: WITHDRAWN
Date of Appeal Decision: 23rd October 2024

[LINK TO DECISION](#)

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).

1 CONSULTATION UNDERTAKEN OR PROPOSED

1.1. None required for the purposes of this report.

2 TIMETABLE

2.1. 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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