



Appeal Decision

Site visit made on 7 October 2025

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th October 2025

Appeal Ref: APP/Q3630/D/25/3370722

65 Chertsey Lane, Staines-Upon-Thames, Surrey TW18 3LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Nicholas Yeung against the decision of Runnymede Borough Council.
 - The application Ref is RU.25/0565.
 - The application sought planning permission for proposed alterations to access & front/side boundary treatment with vehicular crossover without complying with a condition attached to planning permission Ref RU.24/1703, dated 27 February 2025.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall not be carried out except in complete accordance with the following approved plans 65CL-PL VC-00, 65CL-PL VC-01, 65CL-PL VC-02, 65CL-PL VC-03, 65CL-PL VC-04, 65CL-PL VC-05, 65CL-PL VC-06, location plan and letter from Ascot Gate Automation.
 - The reason given for the condition is: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.
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Decision

1. The appeal is allowed and planning permission is granted for Section 73 Application. Variation of Condition 2 (approved plans) of RU.24/1703 for Proposed alterations to access front/side boundary treatment with vehicular crossover at 65 Chertsey Lane, Staines-Upon-Thames, Surrey TW18 3LA in accordance with the terms of the application, Ref RU.25/0565, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal seeks a revision to the front corner of the boundary wall, to re-position the vehicular access and to provide for a pedestrian access within the side boundary wall. This type of application is possible as a condition was imposed on the original permission specifying the approved plans. The appeal seeks removal of the condition and replacement with a condition specifying the plans that reflect the amendment. The description of the development remains unchanged.
3. At the time of my visit, I observed the development to be at an advanced stage of construction in accordance with the revised plans.

Main Issue

4. The main issue is the effect of the proposal upon highway safety.

Reasons

5. Paragraph 116 of the National Planning Policy Framework (the Framework) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
6. The appeal site is located to the eastern side of Chertsey Lane. It lies within a predominantly residential area comprising dwellings fronting the highway. Back land residential development is commonplace with vehicular accesses taken from Chertsey Lane.
7. No 65 sits at the back edge of a deep pavement. In the vicinity of the appeal site Chertsey Lane is subject to a 40mph speed limit. The road is relatively wide and straight. A single width private driveway runs parallel with the appeal site's northern boundary, serving No 61.
8. It is unclear what visibility splay would be available to vehicles emerging from the private drive, either as approved, or proposed. However, I observed visibility to be generally good in both directions.
9. Vehicles exiting the private driveway would retain the same northward visibility along Chertsey Lane. The proposed amendment to the boundary walls would reduce the extent of the chamfered arrangement. However, given the limited nature of the works proposed, in my judgement, the reduction in available emerging visibility in a southerly direction would not be materially significant when compared to the approved plans.
10. The appellant submits that the proposed alignment of the wall would provide for improvements to the ease of vehicular movements within the site for the occupiers of the property, and I have no reason to disagree.
11. The Council have raised concerns regarding land ownership. However, the appellant submits that the proposal would be within land under their control and I have no substantive evidence before me to the contrary. Whether or not the proposal could be implemented, due to landownership, would be a civil matter between the respective parties.
12. For the reasons stated above, I conclude that the proposal would not be materially harmful to highway safety. The proposal therefore complies with Policy SD4 - Highway Design Considerations of The Runnymede Local Plan (Adopted July 2020) (LP) and the Framework insofar as they seek developments to be provided with a safe and suitable access.

Other Matters

13. The Council's reason for refusal cites conflict with Policy EE1 – Townscape and Landscape Quality of the LP. However, in their submission the Council confirms that the proposal would not have a detrimental impact upon the character and appearance of the dwelling or Chertsey Lane. Based on the evidence before me, I have no reason to reach a different view. Accordingly, the proposal would comply with the provisions of Policy EE1.

Conditions

14. The guidance in the PPG makes it clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect.
15. For certainty a condition is required to ensure the development is completed in accordance with the approved plans.
16. A condition in respect of external materials and finish is reasonable and necessary in the interests of protecting character and appearance.
17. Conditions regarding the provision of the access and parking are reasonable and necessary in the interests of highway safety.
18. Based on the evidence before me, work has commenced on site. It is therefore not necessary to re-attach a time limit condition.

Conclusion

19. For the reasons given above, I conclude that the proposal accords with the development plan and the Framework. The appeal should therefore succeed.

R Gee

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall not be carried out except in complete accordance with the following plans 65CL-PL VC-00, 65CL-PL VC-03, 65CL-PL VC-04, 65CL-PL VC-05, 65CL-PL VC-06 received 08.05.25 together with 65CL-PL VC-rev.1 and 65CL-PL VC-rev.2 received 06.06.25.
2. The development hereby permitted shall be constructed entirely of the materials as stated in the submitted valid planning application form and letter from Ascot gate Automation.
3. The parking spaces shown on the approved plans shall only be used for the parking of vehicles incidental and ancillary to the residential use of the dwellings hereby permitted and shall thereafter be maintained solely for parking purposes and made available to the occupiers of those properties hereby permitted at all times for such purposes unless the Local Planning Authority otherwise first agrees in writing. In any event the parking spaces shall not be used for the parking or storage of boats, caravans or trailers.
4. The gated access hereby approved shall not be first opened unless and until the proposed vehicular access to Chertsey Lane (A320) has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction.

*****End of Schedule*****