PLANNING COMMITTEE

21 JUNE 2023

PLANNING APPEAL DECISIONS

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough Local Plan: strategy and sites 2015 - 2034 and the National Planning Policy Framework (NPPF) March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a decision letter, they should contact Sophie Butcher (sophie.butcher@guildford.gov.uk)

1.	Mr Strzebrakowski	
	Tillingbourne Trout Farm, Dorking Road, Abinger Hammer,	
	RH5 6SA	
	Costs - The appeal was against the failure of the Council to issue	
	a notice of their decision within the prescribed period on an	*COSTS
	application for planning permission for the erection of a two	ALLOWED
	bedroom rural worker's dwelling.	
	Delegated Decision: To Refuse	
	Delegated Decision. To Keruse	
	Inspector's Main Issues:	
	The evidence before me demonstrates that the Council failed to	
	appropriately co-operate with the applicant and failed to	
	adhere to deadlines in respect of the planning application,	
	which remains undetermined with no explanation as to why, or	
	how the Council would have determined the application had it	
	done so. Whilst it is evident from the applicant's submission	
	that the Council has experienced significant difficulties in the	
	processing of applications, this is not the concern of the	
	applicant, who simply wished to have their application	
	determined in a timely manner.	
	Please view the decision letter for further info:	
	https://publicaccess.guildford.gov.uk/online-	
	applications/files/1A63295E20CA7107FDEC07E2341CDA86/pdf	
	/21 P 02649-COSTS DECISION-1804785.pdf	

2.	Mr & Mrs Stephen and Rachel Bampfylde Land between 12 and 14 Poyle Road, Guildford GU1 3SJ	
	21/P/02198 – The development proposed is a 3 storey, 4 bedroom single occupancy house.	*ALLOWED
	Delegated Decision: To Refuse	
	Inspector's Main Issues: The main issues are the effect of the proposal on i) the character and appearance of the area; ii) the living conditions of the occupants of adjoining properties with regard to privacy; and iii) the integrity of the Thames Basin Heath Special Protection Area (SPA).	
	Please view the decision letter for further info: <u>https://publicaccess.guildford.gov.uk/online-</u> <u>applications/files/FC502DC335B8E7C9C99F9EC827D8FDD8/pdf</u> /21 P 02198-APPEAL DECISION-1806259.pdf	
3.	Mr Toby Wells West Flexford Barn, West Flexford Lane, Wanborough, Guildford GU3 2JW	
	21/P/01238 – The development proposed is construction of housing for biomass pellet boiler and associated pellet store.	*ALLOWED
	Delegated Decision: To Refuse	
	Inspector's Main Issues: The main issue whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; the effect of the proposal on the openness of the Green Belt; and whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.	
	Please view the decision letter for further info: <u>https://publicaccess.guildford.gov.uk/online-</u> <u>applications/files/B3C1A39B59189E6A8A67EE840AA561E6/pdf/</u> <u>21_P_01238-APPEAL_DECISION-1808874.pdf</u>	

4.	Mr W Gong 32 Queen Eleanors Road, Surrey, Guildford GU2 7SL	
	22/P/01123 – The development proposed is described as the change of use of the annexe to class C3 independent dwellinghouse.	
	Delegated Decision: To Refuse	DISMISSED
	Inspector's Main Issues: The main issues are the effect of the proposed development on the character and appearance of the area, and on the Thames Basin Heaths Special Protection Area (SPA); and whether the proposed development would provide acceptable living conditions for future occupiers with specific regard to private outdoor space.	
	Please view the decision letter for further info:	
	https://publicaccess.guildford.gov.uk/online- applications/files/93164DC8F397DE8593917695F824AFBE/pdf/ 22 P 01123-APPEAL DECISION-1805253.pdf	
	Costs Decision	REFUSED
	The appeal was against the refusal of planning permission for the change of use of the Annexe to class C3 independent dwellinghouse.	
	Whilst I understand the applicant's perspective, and on this issue have found for the applicant, the Council had considered both schemes on their own planning merits and regarding the relevant policies at the time.	
	There is however some inconsistency in relation to the policies cited and the conclusions in relation to relatively similar schemes, even though the same development plan was in place for each decision. Nevertheless, for the scheme before me the Council qualified its reason to refuse on this matter and has dealt with living conditions for future occupants in more detail then in 20/P/01719. Accordingly, although its position has changed, I am satisfied the Council has substantiated its new position with regard to the merits of the scheme, thus have not behaved unreasonably.	

	Please view the decision letter for further info:	
	https://publicaccess.guildford.gov.uk/online-	
	applications/files/1E42018D908614046B7575311474B17E/pdf/	
	22 P 01123-APPEAL COSTS DECISION-1805254.pdf	
5.	Mr Brian Hurst	
	Bowline Cottage, Rad Lane, Peaslake, Guildford GU5 9PB	
	21/P/01311 – The development proposed is described on the application form as "To demolish a double garage and replace with a triple garage and store".	DISMISSED
	Delegated Decision: To Refuse	
	Inspector's Main Issues:Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; the effect of the proposal on the openness of the Green Belt; the effect of the proposal on the character and appearance of Bowline Cottage and the surrounding area; and whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.Please view the decision letter for further info:https://publicaccess.guildford.gov.uk/online- applications/files/394EAA5ABCE28AC601368265CC1E9260/pdf/ 21 P 01311-APPEAL START LETTER-1667238.pdf	
6.	Mr Anthony Etwell Forest Farm, Forest Road, East Horsley KT24 5ER	DISMISSED
	21/P/01537 – The development proposed is described as the	
	'Construction of a single storey, two bedroom dwelling.'	
	Planning Committee – 18 May 2022	
	Decision – To Refuse	
	Officer Recommendation: To Refuse	
	Inspector's Main Issues:	
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	The main issue is the effect of the development on the character and appearance of the surrounding area.	
	Please view the decision letter for further info:	
	https://publicaccess.guildford.gov.uk/online-	
	applications/files/736C7892F5F858DB1D07EEDA6EEE7545/pdf/	
_	21_P_01537-APPEAL_START_LETTER-1775760.pdf	
7.	Mr Lorne Vary	
	Abbotswood, High Park Avenue, East Horsley, KT24 5DF	DISMISSED
	22/T/00094 – The work proposed is Oak trees T1 and T2 –	DISIVIISSED
	reduce by 50% to knuckle points. The relevant Tree	
	Preservation Order (TPO) is Tree Preservation of 2021, which	
	was confirmed on 9 June 2022.	
	Delegated Decision: To Refuse	
	Inspector's Main Issues:	
	The effect of the works on the character and appearance of the	
	area, and whether sufficient justification has been	
	demonstrated for the works.	
	Please view the decision letter for further info:	
	https://publicaccess.guildford.gov.uk/online-	
	applications/files/3DA687854AA236045BEBFBA77324ABD0/pdf	
	/22 T 00094-APPEAL DECISION-1807914.pdf	
8.	Mr Ben Bryant	
	The Cottage, Meadow Close, Ash Vale, Surrey GU12 5PY	
	22/P/00666 – The development proposed is described as the	
	extension and conversion of the existing detached 3 bedroom	
	house to provide 1 No. 3 bedroom house and 2 No. 2 bedroom	
	houses.	DISMISSED
	Delegated Decision: To Refuse	
	Inspector's Main Issues:	
	The main issues are whether, having regard to flood risk, the	
	appeal site is a suitable location for the proposed development	
	and whether it would provide adequate finished floor levels;	
	and the effect of the proposal on the Thames Basin Heaths	
	Special Protection Area (SPA).	
	Please view the decision letter for further info:	

applications/files/F9071D37ED16A32AF65C2E6E674CCD0F/pdf/ 22_P_00666-APPEAL_DECISION-1808185.pdf
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