#### PLANNING COMMITTEE

#### 27 MARCH 2024

#### 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)

# Mr Ian Watts of Space M Studio Ltd 1. Queensleigh, Salmons Road, Effingham, Surrey, KT24 5QJ

**23/P/00991** – The development proposed is replacement of existing outbuilding with new granny annex/outbuilding.

\*ALLOWED

Delegated Decision: To Refuse

#### **Inspector's Main Issues:**

The main issues are

- whether or not the proposed development would be inappropriate development in the Green Belt;
- whether or not the proposed development would be compliant with policies for the provision of annex accommodation; and,
- the effect of the proposed development upon the character of the area.

#### **COSTS AGAINST GUILDFORD BOROUGH COUNCIL**

The evidence in respect of the existing use was a significant factor in reaching my decision to allow the appeal. Therefore, I cannot conclude the Council should have permitted the application, and therefore a full award of costs should not be made. However, a partial award of costs is justified for addressing the alleged harm to character and the speculative views and assessment with respect to the future use as a separate dwellinghouse.

\*ALLOWED IN PART

	Please view the decision letter online via the planning portal.	
2.	Mr & Mrs Cullingham	
	Hillside Farm, Salmons Road, Effingham, Surrey, KT24 5QJ	
	23/P/00033 – The development proposed is single storey side	
	extension following the demolition of existing single garage and	*ALLOWED
	substandard side extension. Proposed front extension	
	(previously approved under reference 19/P/01365).	
	Delegated Decision: To Refuse	
	Inspector's Main Issues:	
	The main issues are	
	whether or not the proposed development would be	
	inappropriate development in the Green Belt;	
	the effect of the proposed development upon the	
	openness of the Green Belt; and,	
	if the proposed development is inappropriate	
	development, whether the harm by reason of	
	inappropriateness, and any other harm, is clearly	
	outweighed by other considerations, and if so, would this	
	amount to the very special circumstances required to	
	justify the proposal.	
	Please view the decision letter online via the planning portal.	
3.	Mr and Mrs P Risdale	
	47 Kingston Avenue, East Horsley, Surrey, KT24 6QT	
	23/P/00269 – The development proposed is a first-floor side	
	extension.	*ALLOWED
	Delegated Decision: To Refuse	
	Inspector's Main Issues:	
	The main issue is the effect of the proposal on the	
	character and appearance of the host property and the street scene.	
	Please view the decision letter online via the planning portal.	

4.	Mr Andrew Kamm, Bourne Homes Ltd Streamside, Harpers Road, Ash, Guildford, GU12 6DB	
	<b>22/P/00977</b> – The development proposed is demolition of existing house and outbuildings and erection of 22 new houses with associated parking and creation of new vehicular access.	*ALLOWED
	Planning Committee 21 June 2023 Planning Committee Decision: To Refuse Officer Recommendation: To Approve	
	Inspector's Main Issues	
	<ul> <li>the effect of the proposal on pedestrian and highway safety;</li> </ul>	
	<ul> <li>the effect of the proposal on the living conditions of the occupiers of Oakside Cottage with particular regard to privacy; and</li> </ul>	
	<ul> <li>the effect of the proposal on the integrity of European Sites.</li> </ul>	
	COSTS AGAINST GUILDFORD BOROUGH COUNCIL  I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Consequently, the application for a full award of costs is refused.	REFUSED
	Please view the decision letter online via the planning portal.	
5.	Claremont Vinesse Group Orchard Walls, Beech Avenue, Effingham, Surrey, KT24 5PG	
	<b>22/P/02045</b> – The development proposed is development of 1 no. single storey 2-bed dwelling house with access from The Crossroads.	DISMISSED
	Delegated Decision: To Refuse	
	Inspector's Main Issues: Based on the statement submitted by the Council, and my observations on site, the main issues are whether the proposal would:  • provide suitable measures for sustainability;	

- make suitable provision towards affordable housing; and the effect of the proposal on:
- the character and appearance of the area, with particular regard to the effect that it would have on the wider allocated Orchard Walls development which is currently under construction;
- the character and appearance of the local area with particular regard to the extent to which it would preserve or enhance the character or appearance of the Effingham Conservation Area (the CA) and the effect on a non-designated heritage asset (NDHA); and
- the living conditions of the future occupiers of Plot 8 of the Orchard Walls development, with particular reference to outlook.

Please view the decision letter online via the planning portal.

#### 6. Mr Gareth Voss

## Perham, Old Lane Gardens, Cobham, Surrey KT11 1NN

**DISMISSED** 

**23/P/00279** – The development proposed is an extension to front side and rear with accommodation within a redesigned roof form including front and rear gables and dormers.

Delegated Decision: To Refuse

## **Inspector's Main Issues:**

The main issues are i) the effect of the proposal on the character and appearance of the host property, street scene and the surrounding area and ii) the living conditions of No 5 Old Lane Gardens with specific regard to loss of light and outlook.

Please view the decision letter online via the planning portal.

# 7. Mrs Ling Chen

1 Madrid Road, Guildford, GU2 7NT

**23/P/00493** – The development proposed is described as the re-submission of previous planning application 22/P/01864 with proposal of subdivision of land into two separate plots; and the creation of new 2-storey semi-detached 2 to 3-bedroom dwelling house with car parking in front court and bike store in rear gardens.

**DISMISSED** 

Delegated Decision: To Refuse **Inspector's Main Issues:** The main issues are the effects of the proposal on i) the character and appearance of the area and ii) the integrity of the Thames Basin Heath Special Protection Area (SPA). Please view the decision letter online via the planning portal. 8. St John's Close Developments Ltd Land adjacent to The Chase, Guildford, Surrey, GU2 7UH 22/P/01630 – The development proposed is student DISMISSED accommodation. Delegated Decision: To Refuse **Inspector's Main Issues:** After the appeal was lodged the Council confirmed that if it had been in a position to determine the case still it would have been refused for 9 reasons. Having regard to these, the main issues in this case are: a) the effect on the character and appearance of the area, and on the significance of the Grade II\* listed Cathedral Church of The Holy Spirit; b) whether the loss of open space would conflict with policy; c) the impact on living conditions of neighbours and future residents; d) whether it would harm highway safety; e) the impacts on drainage, ecology and the environment and f) whether it would have a likely significant effect, when considered alone or in combination with other plans and projects, on the Thames Basin Heaths Special Protection Area (the SPA). COSTS AGAINST GUILDFORD BOROUGH COUNCIL **REFUSED** Accordingly, I conclude it has not been shown that unreasonable behaviour resulting in unnecessary or wasted expense has occurred in relation to the appeal process in this

case, and so an award of costs, whether full or partial, is not

Please view the decision letter online via the planning portal.

warranted.