

## PLANNING COMMITTEE

14 AUGUST 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](mailto:sophie.butcher@guildford.gov.uk))

<p>1.</p>	<p><b>8 Ivor Close, Guildford, GU1 2ET</b></p> <p><b>23/P/01926</b> – The development proposed is a single storey side extension with mezzanine following demolition of existing garage.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector’s Main Issues:</b> The main issue is the effect of the proposed development on the living conditions of the occupiers of 1 Glade Mews, with particular reference to outlook, daylight and sunlight.</p> <p>Please view the decision letter online via the planning portal.</p>	<p><b>*ALLOWED</b></p>
<p>2.</p>	<p><b>16 Curlew Gardens, Guildford, GU4 7DY</b></p> <p><b>23/P/00498</b> – The application sought planning permission for the removal of condition 6 of planning permission 79/P/00139, approved on 22/06/1979, to allow permitted development rights (enlargements and other alterations) to be reinstated to the properties approved by the original permission.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector’s Main Issues:</b> The main issues are the effect of the proposed development on:</p>	<p><b>*ALLOWED</b></p>

	<ul style="list-style-type: none"> <li>• Planning permission was granted for the residential development of erection of 81 dwellings in 1979 (the 'development area'). This was the reserved matters of a previous outline consent<sup>2</sup> for a far larger site. The reserved matters consent was subject to a number of conditions, including No 6, which removed permitted development rights for the entire reserved matters area of 81 properties. This appeal follows the Council's decision to refuse an application to remove this condition and relates solely to the land shown in red on submitted plan 16C-GU47DY-PD-SITE-PLAN P01.</li> <li>• The reason given for the condition '<i>To accord with the planning policy applicable to the area</i>', however the Council set out that they believe the condition is necessary in order to preserve the character and appearance of the development area and to protect the living conditions of the occupiers of neighbouring properties.</li> <li>• The appellant considers that there are no justifiable reasons why the Council should have imposed and seek to retain a condition restricting these permitted development rights.</li> <li>• The main issues in this case therefore are whether or not the condition is reasonable and necessary in order to preserve the character and appearance of the area and to protect the living conditions of neighbours.</li> <li>• <b>COSTS made by the Applicant against Guildford Borough Council</b></li> <li>• I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. The application for an award of costs is therefore refused.</li> </ul> <p>Please view the decision letter online via the planning portal.</p>	<p><b>*REFUSED</b></p>
<p><b>3.</b></p>	<p><b>Treetops, 52 The Street, West Horsley, Leatherhead, KT24 6AX</b></p> <p><b>23/P/02024</b> - The development proposed is for a replacement hedge and fence.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues:</b></p>	<p><b>*ALLOWED</b></p>

	<p>The main issue is the effect of the development on the character and appearance of the area, including the Conservation Area.</p> <p>Please view the decision letter online via the planning portal.</p>	
<p>4.</p>	<p><b>53 Waltham Avenue, Guildford, GU2 9QF</b></p> <p><b>22/P/01851</b> – The part of the development for which a LDC is sought is a proposed outbuilding located within the curtilage of the dwellinghouse following the demolition of an existing outbuilding.</p> <p>Delegated Decision: Part Approved/Part Refused</p> <p><b>Inspector’s Main Issues</b> The main issue is whether the Council’s decision to refuse to grant a LDC was well-founded. This turns on whether or not the proposed demolition of the existing outbuilding and erection of the proposed new outbuilding benefit from the planning permissions granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”), referred to generally as “permitted development”.</p> <p>Please view the decision letter online via the planning portal.</p>	<p><b>*ALLOWED</b></p>
<p>5.</p>	<p><b>Springfield Manor Nursing Home, Hogs Back, Puttenham, Surrey, GU3 1AQ</b></p> <p><b>22/P/01623</b> – The development proposed is extensions and alterations to an existing residential care home including ancillary landscaping works and minor demolitions.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector’s Main Issues</b> The main issues are:</p> <ul style="list-style-type: none"> <li>• the proposal would be inappropriate development in the Green Belt,</li> <li>• the effect of the proposal on the significance of the Puttenham Conservation Area (CA), and the setting of the surrounding listed buildings,</li> <li>• the effect of the proposal on the scenic beauty of the NL and Area of Great Landscape Value (AGLV); and,</li> </ul>	<p><b>DISMISSED</b></p>

	<ul style="list-style-type: none"> <li>the effect of the proposal on the biodiversity value of the appeal site.</li> </ul> <p>Please view the decision letter online via the planning portal.</p>	
6.	<p><b>Retlaws, 15 Roseacre Gardens, Chilworth, Surrey, GU4 8RQ</b></p> <p><b>23/P/00341</b> – The development proposed is part 2 storey and part 1.5 storey new build dwelling with integral garage, associated parking and landscaping.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector’s Main Issues</b></p> <p>The main issue is the effect of the development on highway safety.</p> <p>Please view the decision letter online via the planning portal</p>	<b>DISMISSED</b>
7.	<p><b>Grandview House, 94 Broad Street, Wood Street Village, Guildford, GU3 3BE</b></p> <p><b>22/P/01266</b> – The development permitted is Change of use of existing outbuilding to self-contained two-bedroom dwelling and associated hard/soft landscaping works.</p> <p>The condition in dispute is No 13 which states that: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, D or E shall be carried out on the dwellinghouse hereby permitted or within its curtilage.</p> <p>The reason given for the condition is: The application building is a replacement building in the Green Belt which replaced an original building with a smaller footprint and volume. The Local Planning Authority wishes to retain control over any future extensions / outbuildings at the property, to safeguard the openness and function of the Green Belt in accordance with Policy P2 of the adopted Guildford Borough Local Plan: Strategy and Sites 2015-2034 and Chapter 13 of the National Planning Policy Framework (2021).</p>	<b>DISMISSED</b>

	<p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues</b></p> <p>The main issue is whether the condition is reasonable and necessary having regard to national and local planning policies in respect of the openness and purposes of the Green Belt.</p> <p>Please view the decision letter online via the planning portal.</p>	
8.	<p><b>Mayor House, Mayor House Lane, Albury, Surrey, GU5 9EW</b></p> <p><b>23/P/01166</b> – The development proposed is the demolition of the conservatory, porch and escape staircase, the reconfiguration of the internal layout and the construction of a two-storey rear extension together with associated external alterations.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues</b></p> <p>The main issues are:</p> <p>(a) whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;</p> <p>(b) the effect of the proposal on the openness of the Green Belt;</p> <p>(c) the effect of the proposal on the character and appearance of the existing building; and</p> <p>(d) 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.</p> <p>Please view the decision letter online via the planning portal.</p>	<b>DISMISSED</b>
9.	<p><b>Orchard Cottage, Drovers Way, Ash Green, Guildford, Surrey, GU12 6HY</b></p> <p><b>22/P/01681</b> – The development proposed is the erection of two detached three-bedroom houses with associated amenity areas and parking.</p>	<b>DISMISSED</b>

	<p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues</b></p> <p>The main issues are: a) whether the appeal site is an appropriate location for the proposed residential development, including with regard to its accessibility to facilities and services; b) the effect of the proposal on the Green Lane East Site of Nature Conservation Interest (SNCI); and c) the effect of the proposal on the Thames Basin Heaths Special Protection Area.</p> <p>Please view the decision letter online via the planning portal.</p>	
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