

Planning appeals monitoring follow up report

2020 overturns table

Application number	Site address and brief description of development	Officer recommendation	Committee decision	Appeal decision	Costs sought	Costs awarded Yes/No
19/P/00721	Land off Send Hill, Send (8 dwellings)	Approve	Refuse	Appeal allowed	No	
19/P/01980	Land of Westwood Lane, Normandy (Barn and shade tunnel)	Approve	Refuse	Appeal dismissed	No	
20/P/0446	Meadow Cottage, Horsley (Householder extension)	Refuse	Approve	No appeal		
19/P/2102	Manor Farm, Tongham (254 units)	Approve	Refuse	Hearing 10 May 21 Appeal allowed	No	
19/P/1003	Land at Heath Drive, Send (29 units)	Approve	Refused if they could have	Appeal against non-determination Withdrawn		
20/P/01011	Land at Heath Drive, Send (29 units)	Approve	Refused	Appeal lodged	Too early	
20/P/00511	1 Ash Lodge Close, Ash (1 dwelling)	Approve	Refused	Appeal lodged	Too early	
20/P/0534	Weekwood Copse (relax conditions for dog walking activity)	Approve	Refused	No appeal		
20/P/01166	The Lodge, Barn End, West Horsley (Householder extension)	Approve	Refused	Appeal dismissed	No	
20/P/01216	Land off Field Way, Send (9 dwellings)	Approve	Refused	Appeal allowed	costs against the Council sought	Yes

Commentary

Overall number of Planning Committee decisions for 2020 is lower than other years as several Planning Committee meetings were cancelled due to COVID national lockdown and could not recommence until legislation allowing remote meetings had been brought in. Eight overturn decisions were appealed, currently 3 have been allowed, two have been dismissed, one withdrawn and 2 are pending a decision. Of those determined (6) 50% have been allowed, with one withdrawal, 33% have been dismissed. Of those allowed, a reserved matters application for 254 units on grounds of effects on character and concerns over sustainable development. The inspector did not agree with these points, notably setting out that matters to do with sustainable development had been considered at the outline stage and also that the development did comply with Policy D2. The other allowed appeals related to smaller residential schemes, 20/P/01216 is of particular note as costs were awarded against the Council against failure to provide evidence to justify the decision relating to the effect on character and concerns over lack of local infrastructure.

2020 overall appeal decisions as a comparison (note this INCLUDES the committee overturn decisions, note that the number of decisions were lower this year due to impacts of COVID):

Appeals determined	93
Appeals allowed	15
Appeals dismissed	74
Appeals withdrawn	2
Mixed decision	2
& dismissed	84%

All appeal Cost decisions 2020

These are the costs awarded against and for the Council in 2020.

Against the Council

Previously reported:

- Kings Yard, Burrows Lane, Shere (Planning Committee overturn) - Full award of costs against the Council. Appellants are seeking £3,744. The matter has yet to be settled.
- 31 Millmead Terrace, Guildford (Officer delegated decision)- Full award of costs against the Council. Amount settled as £205.
- Unit 5 Guildford Business Park. (Planning Committee decision) Partial award of costs against the Council. The matter has yet to be settled, Appellants are seeking approx. £7,000.

For the Council

19/P/01486, Kailyaird House, Vicarage Lane, Send (Planning Committee decision) - Full award of costs in favour of the Council. Still to settle

19/P/01974, 1-5 The Quadrant, Bridge Street and The Casino Nightclub, Onslow Street, Guildford – Full award of costs in favour of the Council – Still to settle