

PLANNING COMMITTEE

19 JULY 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)

<p>1.</p>	<p>Mr O Simmons 95 Saffron Platt, Guildford, GU2 9XY</p> <p>22/P/01880 – The development proposed is described as new roof with dormers.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector's Main Issues: The first main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area. The second main issue is the effect of the proposal on the living conditions of the occupiers of 93 and 97 Saffron Platt (No.93 & No.97), with particular regard to privacy.</p> <p>Please view the decision letter for further info: https://publicaccess.guildford.gov.uk/online-applications/files/E85DE0930400C4BD53A9DB1AC9DB3ED6/pdf/22_P_01880-APPEAL_DECISION-1810311.pdf</p>	<p>*ALLOWED</p>
<p>2.</p>	<p>Mr R Hunt Land at Highlands Farm, Portsmouth Road, Ripley, GU23 6EY</p> <p>ENFORCEMENT NOTICE – The breach of planning control as alleged in the notice, is without planning permission, the material change of use of the land from a nil use to the mixed</p>	<p>*ALLOWED</p>

	<p>use of the Land for residential purposes, through the stationing of a park home and the use of the Land and buildings for agricultural storage, including but not limited to the storage of motor vehicles.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: An appeal on ground (b) is made on the basis that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, that those matters have not occurred.</p> <p>Please view the decision letter for further info: https://publicaccess.guildford.gov.uk/online-applications/files/AD472FD721CB4184DEAE1C9AEC88CB09/pdf/18_EC_00104_APL-APPEAL_DECISION-1819360.pdf</p> <p>Mr R Hunt full award of costs against Guildford Borough Council</p> <p>COSTS</p> <p>The inquiry was in connection with an appeal against an enforcement notice alleging without planning permission, the material change of use of the Land from a nil use to the mixed use of the Land for residential purposes, through the stationing of a park home and the use of the Land and buildings for non-agricultural storage, including but not limited to the storage of motor vehicles. Without planning permission, operational development consisting of the construction of two steel portal-framed buildings; the laying of concrete hardstanding; the construction of retaining walls; the construction of breeze block planters and construction of tracks.</p>	<p>REFUSED</p>
<p>3.</p>	<p>Mr D Perkins 95 Broadacres, Guildford, Surrey GU3 3AY</p> <p>22/P/00342 – The development proposed is described as the sub division of an existing dwelling site and construction of new dwelling of similar design.</p> <p>Delegated Decision: To Refuse</p>	<p>DISMISSED</p>

	<p>Inspector’s Main Issues: The main issues are the effect of the proposed development on the character and appearance of the area, and the Thames Basin Heaths Special Protection Area (SPA); and whether the proposal would provide appropriate living conditions for future occupants with specific regard to internal space.</p> <p>Please view the decision letter for further info: https://publicaccess.guildford.gov.uk/online-applications/files/1DBCDC7D9C1414C55340F2F1C26A262/pdf/22_P_00342-APPEAL_DECISION-1810204.pdf</p>	
<p>4.</p>	<p>Mr Peter Knight Hurtwood Place, Holmbury Hill Road, Holmbury St Mary, Surrey, RH5 6NR</p> <p>22/P/00459 – The development proposed is for the creation of a first floor to the existing detached garage, including front and rear dormer, to facilitate a gym and study with an external bin store.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issues are whether the proposal would represent inappropriate development in the Green Belt, and if so, whether the harm by reason of inappropriateness, and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development; and, whether the proposal would preserve or enhance the character or appearance of the area, including the Holmbury St Mary Conservation area (CA), and the Surrey Hills Area of Outstanding Natural Beauty (AONB).</p> <p>Please view the decision letter for further info: https://publicaccess.guildford.gov.uk/online-applications/files/2F65E0F0BEE47889D604399802E0CED9/pdf/22_P_00459-APPEAL_DECISION-1812128.pdf</p>	<p>DISMISSED</p>

<p>5.</p>	<p>Mr Toby Shea Land r/o Christmas Hill & Crossways, Chinthurst Lane, Shalford GU4 8JS</p> <p>The appeal was against the refusal of planning permission for the erection of two detached dwellings with detached garages/outbuildings together with associated landscaping.</p> <p>COSTS</p> <p>Inspector's Main Issues: This decision is a redetermination following the quashing of the previous costs decision by the High Court. I have had regard to the previous costs decision letter, in so far as it forms a material consideration, but have determined the costs application afresh. In doing so, I have taken into account further submissions from the main parties made at the redetermination stage. The original appeal decision has not been quashed and remains extant.</p> <p>Please view the decision letter for further info:</p> <p>https://publicaccess.guildford.gov.uk/online-applications/files/4B28E301E4CD058BD3A282BCD5706319/pdf/20_P_02222-COSTS_DECISION-1812251.pdf</p>	<p>REFUSED</p>
<p>6.</p>	<p>Mr and Mrs N Philips 19 Queen Street, Gomshall, GU5 9LU</p> <p>21/P/01893 – The development proposed is the erection of a single storey rear extension and first floor extension above existing single storey rear element.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector's Main Issues: The main issues are:</p> <ul style="list-style-type: none"> a) whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies; b) the effect of the proposal on the openness of the Green Belt; and c) whether any harm by reason of inappropriateness, and any 	<p>DISMISSED</p>

	<p>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 for further info: https://publicaccess.guildford.gov.uk/online-applications/files/FC75D43758CF3577851D60E8B38059CB/pdf/21_P_01893-APPEAL_DECISION-1815460.pdf</p>	
<p>7.</p>	<p>Mr Hodgson Sunnyside, Rowe Lane, Pirbright GU24 0LX</p> <p>21/P/01820 – The development proposed is described as the erection of a gate and associated fencing alongside the boundary of a residential property.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issues are: 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 it has upon the openness of the Green Belt; the effect of the proposal on character and appearance of the area; and if the development is inappropriate whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstance necessary to justify the development.</p> <p>Please view the decision letter for further info: https://publicaccess.guildford.gov.uk/online-applications/files/1E2BBA3D6855DB1AF6A8290A902A5AE3/pdf/21_P_01820-APPEAL_DECISION-1815635.pdf</p>	<p>DISMISSED</p>
<p>8.</p>	<p>Mr & Mrs Mullens Rosemarie Cottage, Chapel Lane, Pirbright GU24 0JY</p> <p>22/P/00815– The development proposed is described as the ‘erection of a first floor extension and alterations together with the removal of outbuildings.’</p>	<p>DISMISSED</p>

	<p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The appeal site is located within an area of Green Belt. Accordingly, the main issues are:</p> <ul style="list-style-type: none"> • Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the ‘Framework’) and relevant development plan policies; • The effect of the proposal on the openness of the Green Belt; and • If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it. <p>Please view the decision letter for further info:</p> <p>https://publicaccess.guildford.gov.uk/online-applications/files/7885C534DB62D655A7410E01F94FBBE4/pdf/22_P_00815-APPEAL_DECISION-1822870.pdf</p>	
<p>9.</p>	<p>Mr Simon Gruber 6 Lower Edgeborough Road, Guildford, Surrey GU1 2DT</p> <p>21/P/01938 – The development proposed is described as the ‘conversion of existing 6 flats into single dwelling with alterations and extensions comprising part two storey / part single storey rear extension, single storey side extension to provide garage, detached garden room to rear of garage together with raised decking at rear and swimming pool following demolition of existing rear extensions and detached garage.’</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The mains issues in this case are: the effect of the proposed development on housing supply in the Borough; whether the proposal would meet sustainability and carbon reduction requirements; the effect of the proposal on ecology; and</p>	<p>DISMISSED</p>

	<p>the effect of the proposal on the amenity value of existing trees.</p> <p>Please view the decision letter for further info:</p> <p>https://publicaccess.guildford.gov.uk/online-applications/files/1634AAB6E05543327018259BC7F95DD7/pdf/21_P_01938-APPEAL_DECISION-1823627.pdf</p>	
<p>10.</p>	<p>Mr John Lee Snr Land to the Rear of 75 Glaziers Lane, Normandy, Guildford GU3 2EA</p> <p>21/P/02647 – The development proposed is for 2 no. Gypsy/Traveller pitches to be occupied by Gypsies and Travellers who fulfil the definition of Gypsies and Travellers in Annex one of the Planning Policy for Travellers Sites.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues:</p> <p>The main issues in this appeal are:</p> <ul style="list-style-type: none"> a) whether the proposal would be inappropriate development in the Green Belt, and its effect on openness and the purposes of including land within the Green Belt; b) the effect of the proposal on the character and appearance of the area; c) the effect of the proposal on the living conditions of future occupiers, with reference to amenity and play space; d) whether the proposal would make appropriate provision of measures to address climate change, sustainable design, construction and energy use; e) the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA), with particular regard to recreational disturbance; and f) whether any harm would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal. <p>Please view the decision letter for further info:</p> <p>https://publicaccess.guildford.gov.uk/online-applications/files/C93BDB587C006B7C4FE98A876885B3E8/pdf/</p>	<p>DISMISSED</p>

	<p>21 P 02647-APPEAL DECISION-1824133.pdf</p> <p>Mr John Lee Snr for a full award of costs against Guildford Borough Council</p> <p>COSTS</p> <p>Please view the decision letter for further info: https://publicaccess.guildford.gov.uk/online-applications/files/CD5E79F7EF1AD52A25836A56529CD1DB/pdf/21_P_02647-COSTS_DECISION-1824134.pdf</p>	<p>REFUSED</p>
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