

Appeal Decisions for Area Planning Committee (Eastern)

Waverley Reference	Site Address	Officer Rec	Committee or Delegated	Appeal Decision	Summary of Inspector's comments
WA/2008/1871	<p>Site: Tanyard Farm, Woodhill Lane, Shamley Green</p> <p>Development: Retrospective application for retention of front boundary wall</p> <p>Issue: Effect that the wall has on the street scene and on the character and appearance of the area, which is within the Metropolitan Green Belt, The Shamley Green Conservation Area, an AONB and AGLV.</p>	Refuse	Delegated	Dismissed 22/06/2009	<p>The Inspector considered that the wall constituted inappropriate development, and formed a significant amount of built form in the Green Belt, eroding openness and encroaching into the countryside.</p> <p>The reduction in the height of the wall by 20cm was not considered sufficient to overcome the previously identified harm.</p> <p>The Inspector noted the need of the applicant for security and privacy in his front garden but did not regard these as very special circumstances which would outweigh the harm identified.</p>
WA/2008/2200	<p>Site: Lansdowne House, Snowdenham Links Road, Bramley</p> <p>Development: Construction of a new dwelling following</p>	Granted	Committee Refused	Dismissed 01/09/2009	The proposal relates to a replacement dwelling approved in April 2006 – at 285m ² the replacement dwelling represented a 10% increase over the dwelling replaced.

	<p>demolition of the existing house Issue: Whether the development would be inappropriate development in the GB and, if so, whether the harm by reason of inappropriateness, & any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development, bearing in mind the location of the appeal site in the AONB and AGLV</p>				<p>The appellants stated that this was an application for a new house, not an extension. The proposal would very clearly breach Policy RD2A, where the guideline is 10%, the proposal would be very much larger at 56%. It would fail to accord with PPG2 and would have a form, bulk, and height very substantially greater than the dwelling it would be replacing. The proposal would harm the openness of the Green Belt and impact on the AONB.</p> <p>The design of the proposal did not reflect local distinctiveness and the 2 storey side addition would be out of keeping, asymmetrical and would harm the balance of the building.</p> <p>The aim of the Green Belt is to protect openness. The applicants put forward that they need the additional floorspace for their 4 children. The existing house is substantial and the Inspector saw no reason why it would not make a very acceptable family dwelling.</p> <p>Therefore the proposal would be inappropriate development and no other considerations were put forward which would outweigh the harm caused.</p>
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WA/2009/0063	<p>Site: 127 Horsham Road, Cranleigh</p> <p>Development: The breach of planning control as alleged in the notice is, without planning permission the unauthorised change of use of land from agricultural/forestry to residential curtilage.</p> <p>Issue: The main issue in this appeal is considered to be the effect on the living conditions of the occupiers of the care home at 127 Horsham by reason of noise & disturbance from vehicular movements.</p>	Refused	Committee Refused	Allowed 30/09/2009	<p>The inspector did not accept that the intermittent vehicle movements associated with two dwellings would result in unacceptable noise and disturbance.</p> <p>As a consequence the living conditions of the occupiers of the care home would not be harmed and there would be no conflict with Local Plan Policies D1 and D4.</p> <p>Adequate visibility splays could be provided</p>
EN/2008/10	<p>Site: 10 Rowly Edge, Cranleigh,</p> <p>Development: Erection of a pair of semi-detached houses</p>			Allowed 31 July 2009	<p>While the fence separating the land from the recognised garden of the property has been removed, and, functionally, the land is used in conjunction with the garden, it was not considered that the change of use</p>

	<p>Issue: The main issue arising in the case is the effect of the alleged change of use on the openness of the Metropolitan Green Belt; the effect on the character and appearance of the area; whether it is 'inappropriate development' and, if it is, whether there are very special circumstances which justify the development.</p>				<p>has materially changed the openness of this part of the Green Belt.</p> <p>The Inspector considered that the change of use has maintained the openness of the Green Belt and has not resulted in conflict with any of the purposes of the Green Belt designation as set out in paragraph 1.5 of the PPG in terms of checking the sprawl of large built up areas; preventing neighbouring towns from merging; preventing encroachment into the countryside; preserving the character and setting of historic towns or assisting in urban regeneration.</p>
EN/2008/004	<p>Site: Bramley Grange Apartments, Horsham Road, Bramley Development: The breach of planning control as alleged in the notice is without the relevant planning permission, the erection of a block of three garages, concrete</p>			<p>The appeal succeeds in part regarding the extent of the site but is otherwise dismissed – 6th August 2009</p>	<p>The Inspector considered that on the balance of probability, that immediately prior to the unauthorised work being undertaken, the site affected by the notice involved two distinct areas comprising (A) a lawn lying adjacent to a shrub bed; and (B) a gravelled area (with concrete underneath). This latter gravelled area that exists is the same as that present before January 2005, therefore the notice cannot require its removal.</p>

	<p>apron, and gravelled area</p> <p>Issue: For an appeal to succeed on this ground, it must be shown that the requirements of the enforcement notice exceed what is necessary to achieve its purpose of remedying the breach of planning control.</p>				<p>The appeal therefore succeeded in part but only in respect of the gravelled area.</p>
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* Appeal decisions may be viewed on the website