
Appeal Decision

Site visit made on 19 September 2016

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 October 2016

Appeal Ref: APP/A3655/W/16/3150335

The Lawns, Hockering Road, Surrey GU22 7HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ryan Godfrey, Lucas Design and Construction against the decision of Woking Borough Council.
 - The application Ref PLAN/2015/1202, dated 30 October 2015, was refused by notice dated 18 February 2016.
 - The development proposed is a new 2.5 storey residential dwelling with integral garage situated within the existing site boundary of the donor house; proposed new single storey garage and windows to existing donor house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's reasons for refusal included a reference to the absence of a means to contribute to affordable housing, contrary to the provisions of Policy CS12 of the Woking Core Strategy (CS). However, in their statement they acknowledge that, following the Court of Appeal judgement, the policies in the Written Ministerial Statement of 28 November 2014 must now be treated as a material consideration. In addition the national Planning Practice Guidance now sets out circumstances where such contributions should not be sought; this includes proposals such as the appeal scheme. As a consequence, the Council sets out that they "would therefore raise no objection if the appointed Planning Inspector adopted this approach and did not seek affordable housing planning obligations from the appeal scheme". In these circumstances, I have taken this to mean that the Council no longer seeks to resist the proposal on this basis. For the sake of clarity, I agree with the position that they set out and I shall not examine this issue further.
3. The appellant has now provided a completed Obligation which would secure a suitable contribution in relation to the Thames Basin Heaths Special Protection Area. The Council has confirmed that this overcomes their objection on this point.

Main Issues

4. Taking account of the above, the main issue in this appeal is the effect of the proposal on the character and appearance of the conservation area.

Reasons

The effects of the proposal on the Conservation Area

5. The appeal relates to this detached house which is set within a generously sized plot. The property is located within the The Hockering Conservation Area (CA) which is characterised by mainly large detached houses set with very generous plots; there is a dominance of the mature landscaped setting over the built form.
6. The appeal site sits within the acute angle formed by the junction of Hockering Road with Danes Hill. The existing house sits to one side within the plot, which contains a number of mature trees within the garden area. Within the street-scene on Hockering Road the openness of the corner of the appeal site is particularly noticeable. Views from the east display the appeal site curving forwards into view, the built form terminates with the existing house and the remainder of the street-scene appears as a mature landscape, complemented by further landscaping on the opposite side of Danes Hill. From the west on Hockering Road the open corner of the site comes into view, again complemented by other landscaping on each side of the road, including the very large frontage of the property immediately opposite the junction with Danes Hill. The very strong impression created here is one where the mature landscaped elements combine at the intersection of the roads to render the built forms subservient and distinctly secondary to the Arcadian character. For these reasons I consider that the appeal site makes a considerably positive contribution to the character and appearance of the conservation area, made more so by the acute angle at the road junction.
7. The proposal would provide a sizeable detached house set slightly forward of The Lawns. Whilst its siting would follow the general line of the curve on Hockering Road, it would mean that the new house would be particularly prominent in views from the east. The proposal would also be an obvious feature when viewed at the junction of Hockering Road and Danes Hill and would result in the loss of the significant openness that I have identified above. Whilst it may be possible to retain much of the vegetation, the imposition of the substantial house would have an overwhelmingly negative effect on the important openness of this area.
8. The submitted statements refer to the plot size proposed and make comparisons with other plots in the Conservation Area. The Council points out that none of the plots referred to is as a result of planning permission granted by them since the area was designated a Conservation Area. Furthermore, whilst I saw these other plots at my site visit, none appeared in such a prominent location as the appeal site and I would add that the presence of other plots which may be uncharacteristically small does not represent sufficient reason to permit other uncharacteristically small plots. In addition, as the appellant states at paragraph 5.5 of the statement "numerical tools do not address the key issue of plot sub-division and character...".
9. The Council generally accepts that the overall design of the proposal is acceptable in the widest terms, for this Conservation Area. However, I agree that the proposed crown roof would make the property appear top-heavy and even more prominent at this corner site.

10. For the reasons set out, I consider that the proposal would have a significant and negative effect on the important openness and landscaped nature of the appeal site. It would diminish the positive contribution that the appeal site makes to the conservation area and as a consequence, it would fail to either preserve or enhance its character and appearance. As a consequence, the proposal is contrary to Policies CS20, CS21 and CS24 of the CS and saved Policies HSG22 and BE9 of the Local Plan.

Conclusions

11. I have identified that the proposal would result in harm to the designated heritage asset that is The Hockering Conservation Area. I consider that the level of harm is 'less than substantial harm' as set out in the National Planning Policy Framework. I attach considerable weight to this harm in determining the appeal. I have taken account of the appellant's views, including the point that the proposal would make more efficient use of the land. However, I do not find that this consideration or any other put forward amounts to public benefits which are sufficient to outweigh the harm.
12. I have also taken account of the views of interested residents and groups but I find nothing of sufficient weight to add to my concerns. Therefore, for the reasons set out above, the appeal is dismissed.

S T Wood

INSPECTOR