
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: 10 October 2016

Appeal Ref: APP/A3655/W/16/3152100

12 Bylands, Woking GU22 7LA

- 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 Mark Bissix against the decision of Woking Borough Council.
 - The application Ref PLAN/2016/0149, dated 10 February 2016, was refused by notice dated 26 May 2016.
 - The development proposed is demolition of the existing dwelling and erection of 2 x two storey detached dwellings with accommodation in the roof and replacement of existing two vehicular accesses with two new vehicular accesses.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's second reason for refusal related to the absence of a mechanism to secure a contribution in relation to the Thames Basin Heaths Special Protection Area (SPA). The appellant has now submitted an Obligation which secures the relevant contribution as a result, the Council has withdrawn this reason for refusal.

Main Issue

3. The main issue in this appeal is the effects of the proposal on the surrounding area.

Reasons

4. The appeal site currently accommodates a detached 2 storey house which is set within a wide plot. The area is characterised by similar wide detached houses set behind relatively generous frontages, on wide plots. An exception to this is the more recent development at 13a-c Bylands which has resulted in a more tight-knit development. The Council comments that this was allowed on appeal and that the proposal was in part justified by it being tucked away from the main street frontage. Having observed the area, I can appreciate that this may well have been a relevant consideration.
5. Policy CS21 of the Woking Borough Core Strategy (CS) requires that new development should, amongst other things, make a positive contribution to the street scene and character of the area, having regard to scale, height, proportions, building lines. Policy CS24 adds that all development will provide

- a positive benefit in terms of landscape and townscape character and local distinctiveness. Policy DM10 of the Development Management Policies DPD states that housing development on garden land or land to the side of properties will be supported subject to criteria relating to, amongst other things: avoiding inappropriate plot sub-division resulting in uncharacteristically small plots; provision of a frontage which is in keeping with the street-scene.
6. Important and defining characteristics of this area include the plot widths and the wide houses being set behind relatively deep frontages. This has also generally resulted in generous visual separation between the individual dwellings, many of which have single storey elements to one side.
 7. The proposal would result in 2 plots which would be markedly smaller than those which define the character of the area. Related to this, each individual house would itself be narrow when compared to others. These factors would mean that the proposal would appear starkly at odds with the prevailing character of the area. As a consequence, I consider that it would harm that character. In addition, the generous frontages of most other houses, and that also found at the appeal site, would not be replicated but would be considerably diminished. In my judgement this would also present a harmful contrast with the prevailing character.
 8. I have paid particular attention to the presence of the 3 houses at Nos 13a-c on the neighbouring land. These houses do not generally adhere to the defining character set out above, but present a more intimate form. I acknowledge the Council's point that these are set away from the main street frontage and so their impact is reduced. The same could not be said of the appeal scheme which would sit at the head of this arm of the cul-de-sac in a prominent position. As a result, I find that its uncharacteristic form and layout would be in conflict with Policies CS21, CS24 and DM10.
 9. Turning now to the additional points raised by neighbours, I acknowledge that the proposal would present a more visible form of development when viewed from No 11 Bylands. However, taking account of the favourable difference in levels and the distance involved, I do not consider that there would be an unreasonable impact on the living conditions of the residents at No 11. In relation to the tree at No 11 which overhangs the appeal site, I note that this sits to the north of the proposed rear gardens at the appeal site. While it would have some shading effects on the garden, taking account of its orientation, I do not consider that it would have an unacceptable effect in this respect. Although there is disagreement from a neighbour, I note that the Council's arboricultural officer has assessed the submitted impact assessment and considers that the proposal would not result in or necessitate harmful works to the relevant tree. From what I observed on site, whilst some works may be required to the tree, I see no reason to conclude that these would be harmful or cause an unacceptable reduction in its contribution to the character of the area.
 10. In relation to No 13a Bylands, I have carefully assessed the likely effects of the proposal in general and with regard to the proposed side window. The proposed window in the nearest house would be set some way forwards in the side elevation. Whilst it would be possible to gain some view of part of the garden at No 13a from this window, I consider that the view would be an acute one and from such a restricted position within the proposed room that

unreasonable overlooking would be unlikely and indeed less likely than from the existing house. In respect of the general effect of the proposal on No 13a, I consider that its form and siting would not give rise to any unreasonable effects on the living conditions of those neighbours and so agree with the Council on this matter.

Conclusions

11. I have taken account of all other matters raised in the representations but there is nothing to either alter or add to my findings. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR