The Planning Inspectorate

Appeal Decision

Site visit made on 1 November 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 21 November 2016

Appeal Ref: APP/A3655/W/16/3155837
40 Highclere Gardens, Knaphill, Woking GU21 2LR

- 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 Mrs A Podmore against the decision of Woking Borough Council.
- The application Ref PLAN/2016/0240, dated 3 March 2016, was refused by notice dated 30 June 2016.
- The development proposed is a new 2 bed + study terraced dwelling house with amenity and parking.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since it issued its decision, the Council has adopted its Development Management Policies Development Plan Document (DMP), Policy DM10 of which replaces saved Policy HSG22 of the Local Plan referred to in the decision. Both parties have provided representations regarding the proposal and the decision in the light of the policies of the DMP, and I have taken these into account in reaching my decision.

Main Issues

3. The Council concludes that a contribution to Strategic Access, Management, and Monitoring (SAMM), to be secured by a planning obligation which has been agreed by the appellant, would mitigate the effect of the proposed development on the Thames Basin Heaths Special Protection Area (SPA). However, the obligation referred to does not form part of the appeal. The main issues are therefore:

    - the effect of the proposed development on the street scene; and,
    - whether the proposed development would adequately mitigate its effect on the SPA.

Reasons

Effect on the street scene

4. The Council objects to the loss of the green space which is the site for the development which would cause a loss of openness in the street scene, and considers that the proposed house would appear cramped and out of place.

Without any off-street parking in the development, it fears the resulting effect of additional street parking in the area would harm the street scene.

5. My impression of the area is that the houses and plots in Highclere Gardens have been carefully arranged in relation to each other to provide a green and spacious street layout. The appeal site is part of the extensive garden to 40 Highclere Gardens, an end of terrace house which benefits from a wide, side garden. Beside the public footpath next to the side boundary of No 40 is an area of open green space, which is one of three in this part of the street, which give the street a distinctive, green, and spacious character.

6. The addition of another house to the terrace, by building within the wide, side garden of No 40, would not intrude unacceptably into the spaciousness which characterises the street scene. The proposed house would appear similar to its neighbours in the terrace, and its flank wall would be set, for the most part, around 2m into the side garden, which would be enclosed by a 1.8m high hedge over a 1m high fence. While the front garden would be smaller than the other houses in the terrace, its back garden would be substantially larger. Thus, the house and its side boundary enclosure would not appear out of place in the street scene, and the space retained around the house, which would be similar to neighbouring terrace-ends, would ensure that it would not appear cramped.

7. I acknowledge that the front garden would be smaller than the others in the terrace and non-rectangular, however, its size would be little different to many of the other front gardens in the street, and its truncated shape would reflect the shape of the gardens to No 40 adjoining, and No 28 opposite. I appreciate that the street layout tends to avoid the backs of houses overlooking the street or frontages, however, I also note that the front gardens of the houses behind the proposal have well-planted side boundaries which would limit the effect of the lengthening of the terrace on the openness in the street block arrangement. In terms of the effect of the proposed house on the street scene, I find its size and location would not adversely affect its spacious character, nor would it disrupt the distinctive street block layout.

8. The Council considers any additional street parking arising from the development would reduce the openness of the street scene. I appreciate the pressure for on-street parking in a street where the houses were designed at a time when car ownership may have been significantly less than today. However, while I noted at my site visit in the early morning that some cars were parked with one side on the verges of the green spaces, there were unoccupied spaces in the street. In this context, any additional parking resulting from the development would not be so significant as to reduce the existing character of the open space and its contribution to the street scene.

9. I note that the Council's Parking Supplementary Planning Document 2006 (SPD) sets out maximum parking standards. I also acknowledge the Council's point that the SPD says that where developers propose parking standards below the maximum these will be critically examined to ensure that there would be no adverse effect on highway safety, the free flow of traffic or parking provision. The highway authority undertook such an assessment, and concluded that due to the minimal addition to traffic generation, it raised no objections. I share its conclusion.

10. I conclude on this issue that the proposed development would not harm the street scene. There would be no conflict with DMP Policy DM10 and Policies CS18 and CS21 of the Woking Core Strategy 2012 (CS), which seek development that makes a positive contribution to the street scene, which is in character with the area, and which accords with the Council's sustainable transport objective.

Effect on the SPA

11. While the Council's Community Infrastructure Levy includes a contribution towards the provision of Suitable Alternative Natural Greenspace, CS Policy CS8 says that within 5km of the SPA boundary, new residential development will be required to make an appropriate contribution towards SAMM. The level of contribution is set out in the Council's Thames Basin Heaths Special Protection Avoidance Strategy 2010-2015, which the Council says for this proposal would amount to £640.

12. There is no undertaking in this respect, or evidence that the contribution has otherwise been secured. Therefore, on the evidence before me and in the absence of mitigation, I cannot be satisfied that the proposal would provide adequate measures to avoid or mitigate its potential adverse effects on the integrity of the SPA. Consequently, it would conflict with CS Policy CS8 which states that development will only be permitted where the Council is satisfied that this will not give rise to significant adverse effects upon the integrity of the SPA.

Other Matters

13. The views of local residents and the Knaphill Residents' Association have been taken into consideration and I have already dealt with what I regard as the main planning issues. There is no compelling evidence to reject the proposal on bio-diversity or drainage grounds, nor is there substantive evidence that the development would have an adverse effect on highway safety.

Conclusion

14. For the reason given above, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR