
Appeal Decision

Site visit made on 9 June 2020

by Robin Buchanan BA (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2020

Appeal Ref: APP/A3655/W/20/3244810

59 and 61 Dartnell Park Road, West Byfleet, Surrey KT14 6PX

- 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 and Mrs Ali Khan against the decision of Woking Borough Council.
 - The application Ref PLAN/2019/0868, dated 16 September 2019, was refused by notice dated 20 November 2019.
 - The development proposed is described as the demolition of the side of No 61, rebuilding and side elevation, replacement entrance gates, erection of three new dwellings with parking and access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the Council's decision to refuse planning permission, the Appellant has submitted a unilateral undertaking (UU) seeking to address the second reason for refusal relating to the Thames Basin Heaths Special Protection area (SPA). Comments were sought from the Council on the UU, which I have taken into account, and I deal with the SPA in 'other matters' below.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The mainly large detached houses along this part of Dartnell Park Road, including No 59 and No 61, together with Dartnell Avenue form a perimeter to enclose large rear gardens which contain mature trees and hedgerows. This substantial, mostly undeveloped, pocket of space to the rear provides visual and physical separation between opposing frontage houses and a strong perception of openness in this verdant, low density sub-urban residential area. It is an identifiable pattern and grain of development that is noticeable in public views between houses.
5. The proposal would create a second building line of three large, tightly spaced detached two storey houses sited relatively close behind and facing the frontage houses at No 59 and No 61. These would be served by a new access

road, passing the side of No 61, to a shared road behind and individual driveways.

6. Whilst there are some houses in Birchdale Close sited 'in depth' behind frontage houses, this is the exception to the prevailing layout of houses on the appeal site side of Dartnell Park Road. Furthermore, these houses are arranged along both sides of this cul-de-sac and do not face onto the frontage houses, so are therefore quite different to the layout of the proposed development. I appreciate that there are some houses at the ends of other cul-de-sacs off Dartnell Park Road which face towards frontage houses, but none are on the appeal site side of Dartnell park Road or within the appeal site side of Birchdale Close. Moreover, due to intervening houses and landscaping these other houses cannot anyway be seen in any meaningful context with the appeal site, even if it was developed as proposed.
7. Some of the proposed shared road and driveways would be screened in public views from Dartnell Park Road by existing houses or garages and/or boundary fencing or planting. However, whilst the front garden of No 61 is a paved hard surface, the proposal would nonetheless significantly increase the amount of hard surface along the side of No 61 and in-depth to the rear.
8. As a result, the proposed houses would occupy part of this undeveloped backland area and the plot sizes and garden lengths would be manifestly smaller than the nearby residential development, as would be the truncated plots and gardens for No 59 and No 61. This solitary incursion of higher density infill housing would therefore significantly reduce openness and be incompatible with the form and layout of existing houses and gardens — a clear departure from local distinctiveness. In addition, the proposed hard surfacing would have the appearance and function of a road, rather than a garden, and therefore be out of keeping with the verdant, domestic setting to houses along Dartnell Park Road. Overall, the proposed development would as a result be unduly visually intrusive, including because of the proposed widening of the gap between No 61 and the neighbouring house.
9. The Council considers that if permitted the proposal would make it difficult for it to resist similar development within this part of Dartnell Park Road and Dartnell Avenue. I saw that other land in the vicinity of the appeal site has similar characteristics and so I find that this is not a generalised fear of precedent, but a realistic and specific concern that further piecemeal subdivision by similar development on nearby sites would result in an undesirable cumulative effect.
10. Considering the above, the proposed development would cause harm to the character and appearance of the area contrary to Policy CS21 of the Woking Core Strategy, October 2012 (the CS) and Policy DM10 of the Woking Development Management Plan, October 2016. These policies include that development should respect the character of the area having regard to building lines, layout, visual separation between buildings and distance from the road and avoid inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area. It would also conflict with the Council's Design Supplementary Planning Document and the National Planning Policy Framework 2019 (the Framework) paragraphs 8(c), 124, 127(a)(b) and (c) and 130 which seek to ensure high quality places, sympathetic to local character and the surrounding built environment and landscape setting.

Other Matters

11. The UU would secure a financial contribution intended for the purpose of Strategic Access Management and Monitoring (SAMM), in accordance with the Council's Thames Basin Heaths SPA Area Avoidance Strategy. Notwithstanding the Council's view that SAMM would mitigate the impact of the proposed development on internationally important bird breeding populations, so not adversely affect the integrity of the SPA, on the very limited evidence before me I cannot be certain that this would be the case. However, in light of my findings on the main issue, I do not need to consider this matter further.
12. I appreciate that there have been pre-application discussions and amended plans seeking to overcome the Council's concerns with the proposed development. I also recognise that the proposals would provide family sized homes with gardens but given the relatively modest scale of development proposed this benefit would be limited, such that it would not lessen, outweigh or overcome the harm identified in the main issue.
13. I acknowledge that the proposed houses would meet relevant space standards, have suitable means of access, car parking and refuse facilities, would provide new landscaping, be high quality design and that the Council did not object to the proposal for reason of any adverse effect on the living conditions of occupiers of neighbouring houses. However, the absence of harm in these matters is a neutral factor in my decision and does not lead me to conclude differently in terms of the harm identified in the main issue.
14. The submitted evidence refers to other appeal decisions and planning permissions in the surrounding area. However, I am not aware of the full circumstances of these other cases and, in any event, each scheme must be considered and determined on its individual planning merits.

Conclusion

15. For the reasons given, the appeal does not succeed.

Robin Buchanan

INSPECTOR