
Appeal Decision

Site visit made on 19 October 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 26 October 2020

Appeal Ref: APP/A3655/D/20/3256973

212 Albert Drive, Sheerwater, Woking GU21 5TY

- 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 E Pazir against the decision of Woking Borough Council.
 - The application Ref PLAN/2020/0407, dated 17 April 2020, was refused by notice dated 9 July 2020.
 - The development proposed is described as 'ancillary garage / hobby room – revised proposal'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Arboricultural Report by Dryad Tree Specialists (AR) was not submitted to the Council with the application but has been submitted with the appeal. However, it is clear that the same report was before the Council in the context of a previous application for a very similar proposal. I am satisfied that the interests of any party would not be prejudiced if I take this report into account. I shall therefore determine the appeal on this basis.

Main Issue

3. The effect of the proposal on the character and appearance of the area including the protected tree.

Reasons

4. The appeal property is a semi-detached dwelling that sits within a long row of similar properties on the southeast side of Albert Drive, with long rear gardens that include a significant belt of mature trees which contribute to the character and appearance of the area. As the dwellings in the area broadly align, views from rear elevations, particularly from first floor level, extend across neighbouring plots.
5. As a result existing outbuildings standing in rear gardens are prominent to view from a number of neighbouring dwellings. The proposed building would occupy a broad square footprint with a roof form that would emphasise its excessive scale. This is significantly different to the smaller scale of existing buildings situated in rear gardens in the area, which are generally of an ancillary scale, subservient to the dwelling to which they relate. Whilst views of the building from the streetscene would be limited, when viewed across various

neighbouring plots, including elevated views from first floor windows where the overall form and scale of the building would be readily appreciated, the building would appear oversized and out of character. This would be exacerbated by the large area of hardstanding that would be laid to the front of the building. The building would be much more prominent than the dwellings beyond the appeal site to the southeast, which are largely screened by further mature trees.

6. A large Oak tree stands centrally within the rear garden. It is protected by a tree preservation order. The submitted AR suggests that the tree makes a high landscape contribution as a well balanced mature specimen with good vigour and a good structure. Following my visit to the site I find no reason to disagree with this assessment.
7. The proposed hardstanding would be close to the trunk of the tree on two sides. The incursion into the root protection area (RPA) of the tree would be significant, and well above that suggested by BS 5837:2012 (BS). The appellant suggests that the BS covers a wide range of scenarios including trees in constrained highways environments, whereas the areas of hardstanding proposed would only be subject to light vehicle movements. The plans propose a cellular confinement system, which is a recognised method of limiting tree root compaction.
8. I accept that the BS seeks to make recommendations only, however I also give weight to suggestions elsewhere in the BS that tree and soil structure should take priority, and that the most reliable way to ensure this is to preserve the RPA completely undisturbed. Even if a cellular confinement system is used a significant area of the RPA would still be disturbed. Furthermore, the large area of hardstanding is likely to become the principal parking area for vehicles associated with the dwelling, which could regularly be parked and manoeuvred within the RPA. In the context of the maturity of the tree and its high landscape value I am not satisfied that the level of incursion is acceptable.
9. I accept that a significant level of development could take place within the rear garden of the appeal site without the benefit of planning permission. However, there is no evidence before me to suggest that there is a realistic prospect that such development might occur, or that an alternative proposal would satisfy the appellants needs. I therefore give this matter little weight.
10. In summary, the proposal would harm the character and appearance of the area and I cannot be satisfied that it would not cause harm to the longevity of the protected tree. This would be contrary to Policy CS21 of the Woking Core Strategy 2012 and Policy DM2 of the Woking Development Management Policies Development Plan Document 2016, which seek to ensure that development proposals respect the character of the area with regard to scale and proportion, and are designed to retain adequate space around retained trees.

Conclusion

11. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR