



Appeal Decision

Site visit made on 29 November 2021

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th December 2021

Appeal Ref: APP/A3655/W/21/3277093

1 Laurel Crescent, Woodham, Woking GU21 5SS

- 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 S Riaz against the decision of Woking Borough Council.
 - The application Ref PLAN/2021/0079, dated 22 January 2021, was refused by notice dated 22 March 2021.
 - The development proposed is for the subdivision of a plot and the construction of a 3-bed chalet bungalow with associated parking and amenity.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The *National Planning Policy Framework* (the Framework) represents the Government's up-to-date planning policies for England and how they should be applied. The Government published a revised Framework on 20 July 2021 and is a material consideration for development proposals. I note however, in this case, that the main parties have made no further comments in respect of these changes.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area,
 - the living conditions of future occupiers, and;
 - the Thames Basin Heaths Special Protection Area (SPA)

Reasons

Character and appearance

4. The appeal site is located in an established residential area which is characterised by brick and tile dwellings. The properties fan out along the curve of Laurel Crescent as it slopes down from the A245 before turning at a right angle to meet with Woodham Lane further along the main highway in the direction of Woodham. The dwellings are set on generous garden plots and predominantly face onto the highway behind open-plan type set-backs.

5. The host dwelling at No 1 Laurel Crescent is a corner-plot, chalet style bungalow that is located at the junction with Woodham Lane (A245). No 1 has a wrap-around garden that is bordered by fencing and trees which steps up on one side towards the boundary with the A245. From the host garden space the neighbouring property at 3 Laurel Crescent as well as the development to the rear of the appeal site on Woodham Lane can be seen.
6. The proposal is to construct a 3-bed chalet style bungalow with parking to the side of the host dwelling in similar materials to the surrounding area.
7. The main parties agree that the principle of development is accepted in this established residential area. Moreover, the proposal would be constructed in materials that would accord with the host property and the neighbouring dwellings. However, while the submitted drawings show that the proposed development would be possible on the garden space available, I noticed at my site visit that other corner plot dwellings in the area, for example, No 38 Laurel Crescent and No 28 Lynwood Close have generous stand-alone garden plots that do not appear to have been subdivided. Furthermore, I noted that where new corner plot dwellings have been constructed, such as the dwelling at No 1 Lynwood Close, they are located in areas with a more linear and uniform pattern of development in comparison to the spacious curve of development along Laurel Crescent. In addition, notwithstanding that the appellant contends that the proposal would span the width of the plot frontage in a similar way to the surrounding properties, the sense of spaciousness provided by the attractive 'swept' pattern of development along Laurel Crescent would be eroded, not only as a consequence of the reduction of the side garden space associated with the host dwelling, but also the close proximity of the proposal to the boundary with the A245. As such, I find that the proposal would be at odds with the pattern and grain of development in the immediate surrounding area.
8. I note the proposed addition of new close-boarded fencing associated with the proposal, and the fact that the host garden is bordered by a number of trees. However, while many of the trees are evergreen, I cannot be certain that these trees would be retained in perpetuity by future occupiers in order to shield the bulky development from the road or the wider views. Indeed, the rising and stepped topography of the plot towards the main highway would mean that the scale and mass of the proposed development would not only be highly visible on this prominent corner plot to those travelling or walking along Woodham Lane, but also to those visiting or living in Laurel Crescent, particularly from the surrounding and nearby properties. Additional soft-landscaping would not provide satisfactory mitigation.
9. I conclude therefore, that the proposal would jar with the pattern and grain of development in this specific location, be highly prominent and appear cramped on the subdivided plot available. Consequently, the proposal would harm the character and appearance of the area.
10. It follows then, that the proposal is contrary to Policies CS21 of the Woking Borough Council Core Strategy 2012, and Policy DM10 and DM11 of the Woking Borough Council Development Management Policies Development Plan Document, as supported by the Councils Supplementary Planning Documents, 'Woking Design' 2015, which aims include that all development proposals should protect local landscape and townscape character.

11. For similar reasons, the proposal does not meet the requirements of Paragraph 130 (c) of the Framework which says that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Living conditions

12. While limited in comparison to many of the neighbouring dwellings, the remaining garden space of the host dwelling and proposal would still be adequate for the purposes of small scale gardening and other domestic type activities such as, but not limited to, barbecues, sitting-out and the drying of laundry.
13. For that reason, I conclude that the proposal accords with Policies CS21 of the Woking Borough Council Core Strategy 2012, and Policy DM10 of the Woking Borough Council Development Management Policies Development Plan Document 2016, as supported by the Councils Supplementary Planning Documents, 'Outlook, Amenity, Privacy and Daylight' 2008, and Paragraph 130 (f) of the Framework which requires that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

SPA

14. The appeal site is located in the SPA and is therefore, subject to the Habitat Regulations which protect the SPA. If I had come to a different conclusion, it would have been necessary for me as a competent authority to undertake an 'Appropriate Assessment' and give further consideration to the likely effectiveness of any mitigation measures, including the certainty of an agreed S106 agreement being forthcoming. However, as I have found against the Appellant on the first main issue, and therefore planning permission is to be refused, this matter need not be considered any further in this case.

Other Matters

15. I acknowledge that the proposal would contribute to the Council's 5 year housing land supply and would make use of a currently underused garden space. However, as the Council can demonstrate a supply in excess of 5 years, I attribute the proposal for one dwelling very minimal weight.

Conclusions

16. Whilst I have found in favour of the appellant on the second main issue, this does not justify the harm identified on the first main issue. The proposed development would conflict with the adopted development plan in respect of the first main issue, and there are no material considerations indicating a decision otherwise than in accordance with it.
17. For the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR