
Appeal Decision

Site visit made on 15 February 2022

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st March 2022

Appeal Ref: APP/A3655/W/21/3279724

Land at Lampeter Close, Woking GU22 7TD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr S Hameed against the decision of Woking Borough Council.
 - The application Ref PLAN/2021/0410, dated 9 April 2021, was refused by notice dated 3 June 2021.
 - The development proposed is erection of a detached 3 bed house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal was submitted in outline with matters relating to appearance, landscaping and scale reserved for future approval, which have been treated indicatively. The quantum of development is clear from the description and the appeal has been considered accordingly.
3. The site is within the zone of influence of the Thames Basin Heaths Special Protection Area (SPA). As such, the proposal needs to be considered in the context of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). I have addressed the matter later in my decision.

Main Issues

4. The main issues are the effect of the proposal on:
 - (a) the character and appearance of the area including open space;
 - (b) highway and pedestrian safety; and
 - (c) living conditions of future occupiers.

Reasons

Character and Appearance and Open Space

5. The site is located on land at Lampeter Close. It is a grassed area of open space at the entrance to the street and fundamental to the pattern of development established by the 1960's estate; where grassed areas of open space play an important role in creating a spacious appearance at the frontages of dwellings¹ and a feeling of openness for existing occupiers.

¹ Council's Delegation Report, Figure 1 – Approved Site Plan – 16648

6. Paragraph 99 of the National Planning Policy Framework (the Framework) is clear that, among other things, existing open space should not be built on unless an assessment has been undertaken which clearly shows the open space is surplus to requirements or the loss would be replaced by equivalent or better provision in a suitable location.
7. The proposal would result in the loss of open space, eroding the spacious appearance at the frontages of dwellings and the feeling of openness currently enjoyed by existing occupiers. There is no evidence submitted in accordance with Paragraph 99 of the Framework that suggests this loss is justified or has been mitigated.
8. Although the proposal has been submitted in outline, it is clear that the quantum of development is for a single dwelling. The siting of a single dwelling would appear incongruous with the prevailing pattern of development which consists mostly terraced dwellings and blocks of flats. This would not be mitigated by the appearance of the dwelling, even if a compatible design with suitable materials could be secured at reserved matters.
9. The Council makes a somewhat detailed appraisal of the potential boundary treatments, among other things. However, I am mindful that the proposal is submitted in outline and there may be flexibility at reserved matters to address these details.
10. Overall, despite some flexibility at reserved matters, the proposal would still harm the character and appearance of the area as a whole through the siting of a single dwelling and the loss of open space. It would therefore conflict with Policies CS17, CS21 and CS24 of the Woking Core Strategy 2012, the Woking Design Supplementary Planning Document 2015, and Paragraph 99 of the Framework.

Highway and Pedestrian Safety

11. The Council's Parking Standards Supplementary Planning Document 2018 is clear that the mismanagement of parking can contribute to congestion problems both directly through on-street obstacles and through vehicles circulating for available parking spaces. It also sets a minimum standard of two parking spaces for a three bedroom dwelling.
12. The proposal does not provide any suitable off street parking. It is clearly deficient in this context and would result in additional parking stress to the detriment of highway safety.
13. Given the siting of the dwelling, and considering that layout has been submitted in detail, it is not clear whether there is sufficient width at the site to amend the garage details at reserved matters. Consequently, more evidence is needed to demonstrate that a sufficient number of off street parking spaces could be delivered at the site.
14. A footpath connects Lampeter Close to Mount Hermon Road where the site currently bounds it to the west and a close boarded fence bounds it to the east. The proposal would erode the open space and there is a risk that the footpath becomes enclosed on both sides. This would be to the detriment of natural surveillance and would not engender a feeling of safety for pedestrians, harming its usage.

15. However, I am mindful that the proposal is submitted in outline, and that there may be flexibility at reserved matters to mitigate harmful boundary treatments and maintain an acceptable level of natural surveillance through the placement of windows on the dwelling proposed.
16. Overall, despite some flexibility at reserved matters to mitigate harmful effects on pedestrian safety, the proposal would still be deficient in the provision of off street parking and harm highway safety. Consequently, it would conflict with Policies CS18 of the Woking Core Strategy and the Parking Standards Supplementary Planning Document 2018.

Living Conditions of Future Occupiers

17. Woking Conservative Club is located directly adjacent to the site around 3m to the east. It is a large two storey flat-roofed building and imposing in the street scene. The detailed layout of the proposal means that Woking Conservative Club would project approximately 8m beyond its rear elevation and border the rear garden area for the majority of its length.
18. This, in conjunction with the proximity of the Woking Conservative Club, would create an overbearing effect on the living conditions of future occupiers, harming the enjoyment of the garden area notwithstanding contentions that it is compliant with space standards².
19. Whilst it is noted that separation distances between the proposal and other neighbouring dwellings may not impact on neighbouring living conditions, the absence of such harm would not mitigate the harm on the living conditions of future occupiers derived from the relationship with Woking Conservative Club.
20. Overall, the proposal would harm the living conditions of future occupiers and conflict with Policy CS21 of the Woking Core Strategy 2012 and the Outlook, Amenity, Privacy and Daylight Supplementary Planning Document 2008.

Other Matters

21. The site is within the zone of influence of the Thames Basin Heaths SPA. Given that I am dismissing the appeal for other reasons it is not necessary for me to consider likely significance effects.
22. Similarly, as I am dismissing the appeal for other reasons, it has not been necessary to consider the representations from other interested parties who have objected to the proposal.
23. I note the appellant's contention that the proposal would make efficient use of land and contribute to housing land supply. However, the contribution would be limited and would not outweigh the cumulative harms identified under the main issues.

Conclusion

24. For the reasons given, the appeal is dismissed.

Liam Page

INSPECTOR

² Technical housing standards – nationally described space standard