



Appeal Decision

Site visit made on 1 November 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2022

Appeal Ref: APP/A3655/W/22/3290789

Beech Rise, Lock Lane, Pyrford, Surrey

- 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 T Lewis against the decision of Woking Borough Council.
 - The application Ref PLAN/2021/1107, dated 8 October 2021, was refused by notice dated 13 January 2022.
 - The development proposed is described as an access from Lock Lane.
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Decision

1. The appeal is allowed and planning permission is granted for an access from Lock Lane at Beech Rise, Lock Lane, Pyrford, Surrey in accordance with the terms of the application, Ref PLAN/2021/1107, dated 8 October 2021, subject to the conditions in the attached schedule.

Application for Costs

2. An application for costs was made by T Lewis against Woking Borough Council. This application is the subject of a separate decision.

Main Issue

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

Reasons

4. Lock Lane is a tarmacked road with predominantly grass verges and mature landscaping to its edges. Adjacent to the appeal site there are also existing buildings, fencing and a vehicular access serving a golf club. However, as one travels away from the junction with Pyrford Road, along Lock Lane, the area has a broadly rural, spacious and green character.
5. The proposed access would be sited close to the existing golf club development. As a principally engineering operation, it would sit comparatively near to surrounding land levels and given its dimensions, adjoining land levels and location would have some albeit limited impact on the immediate character and appearance of the area.
6. There are 6 Beech trees which project above the existing fence. These mature trees line Lock Lane and while not protected, make a valuable contribution to the intrinsic rural character of the area and its local distinctiveness. These trees are proposed to be removed and their loss would have a harmful impact on the rural quality of this area.

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7. The application is accompanied by a tree schedule which identifies that some of these trees have split trunks, and in most cases, tree removal is recommended. The Council have not substantially challenged these findings, in respect to either the condition of the trees or their recommended management. Additionally, I note that the Council's Tree Officer raised no objections to their removal, subject to replacement tree planting.
 8. Consequently, as the existing trees require management and removal is recommended, the harm attached to the loss of the existing trees would holistically, in this case, be balanced by suitable replacement tree planting. Such replanting, which would be agreed with the Council via condition, would provide medium to longer term benefits to local distinctiveness and the rural landscape setting.
 9. I acknowledge the comments made by the previous Inspector in respect to appeal Ref APP/A3655/W/20/3264984. In this case the appeal was for both the erection of a dwelling and a new access road. The Inspector found the proposed dwelling to be disruptive and incongruous within Lock Lane. The Inspector also acknowledged that additional urbanising impacts would result from the proposed access to the site along with ornamental plantings and domestic paraphernalia associated with a residential use.
 10. The previous appeal decision is a material consideration; however, it appears to me that the overall decision was based on the proposed dwelling and access being harmful in combination. I recognise the impact of the current appeal proposal is not neutral, however, I have found that the impacts generated by the access in isolation would not be unacceptably harmful.
 11. As a result, the development would not cause unacceptable harm to the character and appearance of the area. Accordingly, there would be no conflict with the relevant provisions of Policies CS21 and CS24 of the Woking Borough Council Core Strategy (2012), Policy DM2 of the Woking Borough Council Development Management Policies DPD (2016), Policy BE1 of the Pyrford Neighbourhood Plan (2017), the Woking Design Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (the Framework) all of which seek, amongst other things, to ensure that development is sympathetic to the character and appearance of the area.

Other Matters

12. The proposed plans show visibility splays, and both the County Highway Authority and the Council are satisfied that adequate highway visibility can be achieved. There is no evidence before me to suggest this would not be the case.
13. The proposed development comprises an engineering operation and the Framework confirms that such development is not inappropriate in the Green Belt provided it preserves openness. Given its dimensions and comparative height to the existing highway and adjoining land levels, I agree with the Council that the proposed access would preserve openness in the Green Belt.

Conditions

14. The Council has suggested 4 conditions. Where necessary and, in the interests of precision, I have amended the wording of some conditions to accord with Planning Practice Guidance (PPG) and the Framework.

15. In addition to the standard time limit for commencement, conditions are necessary specifying the approved plans [2]. It is also necessary, in the interests of the character and appearance of the area, to control hard and soft landscaping [3]. Finally, to manage surface water run off [4] is also necessary.

Conclusion

16. For the above reasons, having regard to the development plan as a whole, the approach in the Framework and all other relevant material considerations, the appeal should succeed subject to the conditions in the attached schedule.

N Praine

INSPECTOR

SCHEDULE OF CONDITIONS (4 in total)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Unnumbered plan showing a Location Plan received by the Local Planning Authority on the 19 October 2021 and unnumbered plan showing a Block Plan received by the Local Planning Authority on the 11 October 2021.
- 3) Prior to the commencement of any above ground works, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of surfacing materials and details of any boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. All soft landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the approval of the landscaping scheme. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority. The approved hard landscaping details shall be carried out prior to the first use of the vehicular access here permitted and thereafter permanently retained in accordance with the approved details.
- 4) Notwithstanding any indication otherwise given by this permission, the vehicular access hereby permitted shall be constructed and maintained using permeable or porous materials, or provision shall be made and retained to direct run-off water from any areas of hardstanding to a permeable or porous area or surface within the curtilage of the site.

End of schedule