



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: 17 November 2022

Appeal Ref: APP/A3655/W/22/3290786

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 Ms T Lewis against the decision of Woking Borough Council.
 - The application Ref PLAN/2021/0557, dated 11 May 2021, was refused by notice dated 24 August 2021.
 - The development proposed is described as an access from Lock Lane.
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Decision

1. The appeal is dismissed.

Applications 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 Issues

3. The main issues are the effect of the proposed development on:
 - The character and appearance of the surrounding area with particular regard to the effect on the health and vitality of trees; and
 - Highway safety.

Reasons

Character and Appearance – Trees

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 and green character.
5. There are a number of trees which are visible within the street scene including trees close to the proposed development. While not subject to preservation orders, these trees both alone and in combination make a valuable contribution to the intrinsic rural character of the area and its local distinctiveness.
6. The appeal is not supported by arboricultural information such as root protection area detail or how trees would be protected during the construction period. In the absence of such information, it has not been clearly demonstrated that it would be possible to accommodate the proposed vehicular

access and associated construction activity whilst retaining and protecting existing trees.

7. While I am aware of a separate appeal, at this site, also for a vehicular access under reference APP/A3655/W/22/3290789, this appeal is different insofar as some of the trees are proposed to be removed and replaced. However, in this current appeal before me, the trees are shown to be retained and replacement planting is not proposed. Accordingly, it is incumbent on me to ensure these trees would be adequately protected during construction particularly as damage or loss would have an unacceptably harmful impact on the rural quality of this area.
8. Consequently, the appellant has not satisfactorily demonstrated that the proposed development would not compromise existing trees. As such there would be a clear risk that the proposed development would threaten the integrity of trees and their contribution to the character and appearance of the area.
9. This, therefore, conflicts with the relevant provisions of Policies CS21 and CS24 of the Woking Borough Council Core Strategy 2012 (the Core Strategy), Policy DM2 of the Woking Borough Council Development Management Policies DPD 2016 and the National Planning Policy Framework (the Framework) all of which require, amongst other things, to ensure that development is sympathetic to the character and appearance of the area including adequate provision for the retention of trees.

Highway Safety

10. Since the Council made its decision in respect to PLAN/2021/0557, a subsequent application for an access, of near identical layout, under reference PLAN/2021/1107 was found, by the Council, to demonstrate that adequate vehicular visibility can be achieved at this site.
11. While PLAN/2021/1107 was ultimately refused by the Council for other reasons, it was subsequently allowed on appeal under reference APP/A3655/W/22/3290789 dated 7 November 2022. Therefore, if this appeal was acceptable in all other regards, a condition could be imposed to agree the details, provision and retention of vehicular visibility zones.
12. Therefore, the development would be unlikely to lead to any unacceptable risk to highway safety. The proposed development would accord with the relevant provisions of Policies CS18 of the Core Strategy, Objective 3 of the Surrey Transport Plan 2011 - 2016 and the Framework. All of which, amongst other things, seek to ensure development proposals do not detrimentally impact upon highway safety.

Other Matters

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.

Conclusion

14. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR