



Appeal Decision

Site visit made on 26 September 2023

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2023

Appeal Ref: APP/A3655/W/23/3314362

Beaulieu, Chobham Road, Knaphill, Woking, Surrey GU21 2QE

- 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 Mohamed Ali against the decision of Woking Borough Council.
- The application Ref PLAN/2022/0718, dated 21 July 2022, was refused by notice dated 20 September 2022.
- The development proposed is the demolition of existing garage and erection of new detached dwelling and carport with new garage to existing dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner heading above has been taken from the application form, albeit that the reference to Surrey has been made after Woking rather than preceding as shown on the application form.
3. As part of the appeal the appellant has indicated they would consider reducing the height and the pitch of the roof of the proposed dwelling. I have not considered the amended plans as part of this appeal as I consider that this change would materially alter the nature of the application and would prejudice the interests of interested parties. Accordingly, the amendments cannot be considered as part of the appeal¹ and used to evolve a scheme at appeal stage².
4. In regard to the second reason for refusal and the impact of the proposal on the Thames Basin Heath Special Protection Area (SPA), the Council have confirmed that the appellants have submitted a unilateral undertaking (UU) agreeing a contribution of £1,206.00 toward Strategic Access Monitoring and Maintenance (SAMM) in accordance with Policy CS8 of the Woking Core Strategy (WCS), adopted October 2012, and the Thames Basin Heaths SPA Avoidance Strategy, adopted February 2022 which I have taken into account. I have contemplated this further in the Other Matters section of my decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

² Annex M of the Procedural Guide Appeals – England advises that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.

Reasons

Character and appearance

6. The appeal site is located in a prominent position on the eastern side of Chobham Road close to the junction of Limecroft Road and High Street, with a peripheral location in respect to the settlement of Knaphill. The surrounding area is mainly residential with a leafy suburban feel. The residential properties consist of detached dwellings exhibiting a variety of styles and materials, albeit with a traditional feel. To the rear of the site is a small infill cul-de-sac (Maytrees) providing a building line set back from the Chobham Road street scene. The properties adjoining the appeal site do not exhibit a defined rhythm or pattern, which provides a somewhat disjointed feel to the character of the area.
7. The proposal would provide a two-storey detached family dwelling with a traditional form into a currently open and self-seeded plot. It is acknowledged that the plot is an irregular shape tapering off at the northern end, however the siting of the dwelling and the associated garages have been positioned to provide a sympathetic treatment when viewed from the Chobham Road street scene. As such, its setting within the plot does not appear cramped and provides a respectful development with adequate amenity space surrounding it.
8. The appeal site occupies a prominent position and would be viewed in the context of the adjoining properties at Beaulieu and those in Maytrees behind it. Despite the fragmented appearance in the surrounding area, the existing properties exhibit a fairly consistent ridge height with modest roof slopes in scale with the host properties. In contrast the roof slope and ridge height of the proposed dwelling would be uncharacteristically high and due to its combined height, depth and width would appear disproportionately bulky, and somewhat top heavy.
9. The additional mass at roof level would result in an appearance which would not reflect the proportions of the existing dwellings in the area. The design of the roof combined with the width, would result in an incongruous addition to the street scene, at odds with the existing character that comprises dwellings of more conventional, domestic proportions.
10. It is acknowledged that there are a variety of building forms in the area, and the appellant contends that the design would provide interest to the streetscene and some individuality, reflecting but slightly standing apart from the surrounding dwellings. However, this does not alter my findings that the proposal would fail to respond positively to its context and given its prominence would be of an inappropriate design.
11. Consequently, the proposal would be harmful to the character and appearance of the area, contrary to WCS Policies CS21 and CS24 and the aims and objectives of the Woking Design Supplementary Planning Document (SPD), adopted February 2015. Amongst other things these seek to ensure that development proposals are of a high-quality design and make a positive contribution to the character of the area whilst respecting the street scene, setting and relationships between buildings. Furthermore, it would conflict with the relevant paragraphs of the National Planning Policy Framework which also seeks to ensure that development achieves a high standard of design and is sympathetic to local character.

Other Matters

12. The Council consider the development has no adverse effect on amenity of neighbouring occupants with regard to outlook; loss of privacy and daylight and sunlight, and also does not have any concerns in respect to the impact on trees. The appellant also highlights that there are no objections on highways grounds. None of these matters are in dispute and nonetheless, the absence of harm in these regards does not carry positive weight in favour of the development.
13. It would appear that the appeal site falls within a 'Zone of influence' for a designated site and the appellant has submitted a unilateral undertaking to secure ecological mitigation. As the competent decision making authority, if I had been minded to allow the appeal it would have been necessary for me to complete an Appropriate Assessment for this scheme. However, as I am dismissing the appeal for other reasons, I have not taken the matter further.

Conclusion

14. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that a decision should be taken other than in accordance with that plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR