



Appeal Decision

Site visit made on 21 September 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16TH October 2023

Appeal Ref: APP/A3655/D/23/3322407

11 Priory Close, Woking GU21 5TN

- 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 Bojan Ambrus against the decision of the Woking Borough Council.
 - The application Ref PLAN/2023/0078, dated 6 February 2023, was refused by notice dated 6 April 2023.
 - The development proposed is a double, open-all-side carport in front driveway.
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Decision

1. The appeal is allowed, and planning permission is granted for a double, open-all-side carport in front driveway at 11 Priory Close, Woking GU21 5TN in accordance with the terms of the application, PLAN/2023/0078, dated 6 February 2023 and the plans submitted with it, subject to the conditions: -
 - 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 submitted plans; Site Location Plan and Carport Design – A1.
 - 3 No preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.

Main Issues

2. The main issues are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of the neighbouring property with regard to outlook.

Reasons

3. The semi-detached property is set some distance back from the road with the frontage, which contains several substantial trees, used for parking. The trees are subject to a Tree Preservation Order and significantly contribute to the verdant and spacious character of the area.
4. I did not observe any other carports within Priory Close and whilst there are a few limited examples of structures towards the front of the plots, generally the front gardens are free from development. Notwithstanding that, high fencing is found between properties, and many have high hedges/landscaping to the road above providing screening above the low boundary walls.
5. The Council's Supplementary Planning Document (SPD) - Woking Design (2015) indicates that "*open roof structures that form carports are unlikely to be permitted where they are in public view unless they are well designed and constructed from high quality materials*". The Council has not raised any specific concerns in relation to the materials nor the design which would be an open structure: formed of a pitched canopy consisting of a simple wooden frame and slatted roof with a transparent covering.
6. Whilst located in a forward position, the carport would still be set back some distance from the road. It would not materially project in front of the property and has a clearly subservient form and comparatively modest scale in relation to the host property.
7. Given its open form and that it would sit alongside the timber boundary fencing, in my view, the carport would not be an overly prominent or incongruous feature. A significant portion of the frontage would remain free from development and therefore whilst it would add some additional sense of enclosure, I do not find that it would dominate the host property or would be overtly prominent in the street scene.
8. Consequently, I find that the proposal would not be unduly harmful to the character and appearance of the area. It would thereby accord with Policy CS21 of the Woking Core Strategy DPD (2012) which seeks attractive buildings and places, that respect and make a positive contribution to the street scene and character of the area. It would also accord overall with the guidance in the Woking Design SPD and its aims and objectives.

No.10 – Living Conditions

9. No.10 is a detached property set away from the boundary with an intervening garage. The ground-floor windows are set away from No.11 beyond the entrance door. Positioned adjacent to the shared boundary the rear of the carport is the lowest part of the structure and would have a limited projection above the boundary fencing. Given this relationship and the restricted scale and form of the development, I do not find it would be an overbearing feature or that there would be any material harm to the outlook from the neighbouring property.
10. The development would thereby accord with Policy CS21 of the Woking Core Strategy DPD and the Supplementary Planning Document – Outlook, Amenity, Privacy and Daylight which, amongst other things, seek to ensure that development achieves satisfactory relationships with neighbouring buildings and avoids significant harmful impacts including an overbearing effect due to bulk, proximity or outlook.

Conditions

11. Conditions are necessary in the interests of compliance with statutory requirements relating to the commencement of development and certainty in relation to the plans.
12. The Council has also suggested a condition relating to the protection of the existing trees. They explain that no arboricultural details were submitted with the application and as it was to be refused these were not requested at the time. While the carport has a limited structure, it is necessary that the protection measures are agreed with the Local Planning Authority to ensure that the trees are adequately safeguarded during construction. Given the nature of these requirements, this has to be a pre-commencement condition and the appellant has confirmed their agreement to this condition.

Conclusion

13. For the reasons set out and having regard to all other matters raised the appeal is allowed.

G Ellis

INSPECTOR