



Appeal Decision

Site visit made on 11 June 2024

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2024

Appeal Ref: APP/A3655/W/23/3331955

Pierre Pont House, Pyrford Woods, Pyrford, Woking, Surrey, GU22 8QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Stuart Abbott against the decision of Woking Borough Council.
 - The application Ref is PLAN/2023/0301.
 - The development proposed is a 1.5 storey detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - the living conditions of the future occupiers of the proposed dwelling, with regard to privacy.

Reasons

Character and Appearance

3. The appeal site is occupied by a two-storey semi-detached dwelling with a garage outbuilding to the front, known as Pierre Pont House. It is located within the Pyrford Woods estate on a corner plot between the main road Pyrford Woods and the cul-de-sac Pyrford Woods Close. The surrounding area is residential in nature, mostly comprised of large dwellings on generous sized plots within a natural, green setting. The appeal property is set back from the road and has a large, well-landscaped front garden where its verdant nature contributes positively to the character and appearance of the streetscene. The proposed development would sub-divide the appeal plot with a new dwelling located in the existing front garden space, relocating the existing access to Pierre Pont House onto Pyrford Woods Close.
4. The proposed dwelling would be located forward of the existing dwelling on the site with the side elevation of the proposed dwelling facing the front elevation of its host. The proposed side elevation would be in close proximity to the existing dwelling and, in particular, the existing garage outbuilding belonging to Pierre Pont House. Whilst this proximity between properties is not unusual in the surrounding area, other dwellings generally sit side to side where smaller separation distances are more appropriate. In this instance, the close proximity of the two dwellings and the unusual relationship between the two would result

in a cramped environment on the appeal site and an incongruous feature within the surrounding area.

5. Due to the orientation of the proposed dwelling its other side elevation would face the front of the site and the existing access onto the junction between Pyrford Woods and Pyrford Woods Close. This would be contrary to the pattern of development within the area where the front elevation of dwellings typically face the road in a traditional fashion, particularly on Pyrford Woods. Although some dwellings in the area, as highlighted by the appellant, are closer to the road and also located at an angle, they do not have a side elevation facing the road as per the appeal proposal. Whilst partially obscured by the existing trees on the boundary of the site, the side elevation of the proposed dwelling would be highly visible within the streetscene, particularly due to its proximity to the road, to the detriment of the character and appearance of the area.
6. It is noted that the garden of the proposed dwelling would be adjoining the cul-de-sac road, Pyrford Woods Close. However, this is well screened and would not appear as an overly incongruous feature within the area. Furthermore, the appearance of the surrounding dwellings is varied and the traditional design of the proposed dwelling would assimilate well into this residential environment. The subdivision of this large plot into two smaller plots would not be out of keeping with the scale of other properties in the area.
7. Nevertheless, for the reasons above, the proposed development would harm the character and appearance of the surrounding area and would conflict with Policies CS21 and CS24 of the Woking Core Strategy (the CS) 2012, Policy DM10 of the Development Management Policies Development Plan Document (the DPD) 2016 and Policies BE1 and BE3 of the Pyrford Neighbourhood Plan (the NP) 2016-2027. These policies collectively seek to ensure that new development respects and makes a positive contribution to the streetscene and local distinctiveness with development on garden land presenting a frontage in keeping with the prevailing layout of streets in the area including building orientation and visual separation between buildings so as to not appear incongruous with their surroundings and preserving the external character of the existing property.
8. The proposed development would also conflict with the general design objectives of the National Planning Policy Framework.

Living Conditions

9. Due to the layout of the properties, the front elevation of both Pierre Pont House and its attached neighbouring dwelling, Peterbridge, would face towards the right side elevation of the proposed dwelling and its front and rear gardens. Due to planting on the boundary, there would be limited visibility at ground floor level from these two neighbouring properties of the proposed dwelling. However, views would be possible from the first floor windows on their front elevation towards the new property.
10. Views towards the proposed front garden space would be limited and already visible from the public realm. With regards to the proposed dwelling itself, there would only be one window on the right side elevation, at ground floor level, where views would be largely obscure by boundary planting and a proposed shed. However, there would be direct views into the rear garden of the proposed dwelling from the first floor windows on the front elevations of

Pierre Pont House and Peterbridge, which would not be fully obscured by the boundary hedging. This would result in a loss of privacy to the future occupiers of the proposed dwelling when using this rear garden space, particularly due to the close proximity between these neighbouring properties.

11. This overlooking may be no worse than some other properties in the surrounding area. However, this does not make it acceptable in this instance. Furthermore, although the future occupants of the dwelling may be able to partially screen the garden and patio with furniture and planting, this would not fully mitigate the loss of privacy that would be experienced.
12. Consequently, the proposed development would not provide satisfactory living conditions for its future occupiers, with regards to privacy, and as such it would conflict with Policy CS21 of the CS and Policy BE3 of the NP. These policies seek to ensure that new development achieves a satisfactory relationship to adjoining properties, respecting the separation between buildings and avoiding significant harmful impact in terms of privacy.
13. The proposed development also conflicts with the relevant section of the National Planning Policy Framework which states that planning decisions should ensure that developments create places with a high standard of amenity for future users.

Other Matters

14. The appellant contends that the policies relevant to the appeal are potentially out of date, due to their date of adoption and the need for a review as required by the Framework. However, the Council have confirmed that the CS, the DPD and the NP were recently reviewed in accordance with the legislative requirements and are therefore up to date. Nevertheless, I consider that the policies relevant to the appeal are consistent with the general aims of the Framework in relation to character and appearance and living conditions. Therefore, paragraph 11(d) of the Framework does not apply in this instance.
15. The appellant contends that the proposal would make better use of the larger, deeper frontage on the appeal site and would not introduce a precedent to the area as there are limited sites of this scale remaining. However, these factors would not outweigh the harm found.
16. The Council has outlined that the Thames Basin Heaths Special Protection Area (TBH SPA) is an internationally important site of nature conservation and has been given the highest degree of protection under the Conservation of Habitats and Species Regulations 2017 (as amended). Whilst the appeal site's relationship with this SPA has not been defined, in their second reason for refusal the Council state that due to the lack of a Section 106 legal agreement to secure a contribution towards mitigation measures, they are unable to determine that the additional dwelling would not have an adverse effect on the integrity of the TBH SPA in relation to urbanisation and recreational pressures. However, the appellant has now submitted a unilateral undertaking in relation to this contribution and, as such, the Council has withdrawn this reason for refusal.
17. The Conservation of Habitats and Species Regulations 2017 (as amended) requires the decision maker to undertake an Appropriate Assessment (AA) where there are likely significant effects from the proposal, either alone or in

combination with other plans or projects. However, regulation 63(1) indicates the requirement for an AA is only necessary where the competent authority is minded to give consent for the proposal. Therefore, in view of my overall conclusions resulting in my decision to dismiss the appeal, it has not been necessary to address this in any further detail.

Conclusion

18. Therefore, for the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

E Grierson

INSPECTOR