



Appeal Decision

Site visit made on 4 February 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 24 February 2025

Appeal A Ref: APP/A3655/D/24/3352479

Okewood House, Heath House Road, Woking GU22 0QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr T & Mrs J Welch against the decision of Woking Borough Council.
 - The application Ref is PLAN/2024/0330.
 - The development proposed is erection of a detached building forming partly garage and partly car port.
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Appeal B Ref: APP/A3655/D/24/3354401

Okewood House, Heath House Road, Woking GU22 0QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr T & Mrs J Welch against the decision of Woking Borough Council.
 - The application Ref is PLAN/2024/0565.
 - The development proposed is erection of a detached garage.
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Decision

Appeal A: Ref: APP/A3655/D/24/3352479

1. The appeal is allowed and planning permission is granted for the erection of a detached building forming partly garage and partly car port at Okewood House, Heath House Road, Woking GU22 0QU in accordance with the terms of the application, Ref: PLAN/2024/0330 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall accord with those set out on Plan 01.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 01; AAL-24-117-P01; AAL-24-117-P02 and AAL-24-117-P03.
 - 4) The development hereby permitted shall only be used for the parking of vehicles incidental to the residential use of the dwelling house, known as Okewood House.

Appeal B: Ref: APP/A3655/D/24/3354401

2. The appeal is allowed and planning permission is granted for the erection of a detached garage at Okewood House, Heath House Road, Woking GU22 0QU in accordance with the terms of the application, Ref: PLAN/2024/0565 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall accord with those set out on Plan 01.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: AAL-24-117-P01 Rev A; AAL-24-117-P02 and AAL-24-117-P03 and AAL-24-117-P04.
 - 4) The development hereby permitted shall only be used for the parking of vehicles incidental to the residential use of the dwelling house, known as Okewood House.

Preliminary Matters

3. The National Planning Policy Framework (Framework) was revised in December 2024. I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. It is not therefore necessary to seek the views of the Appellant or the Council on the revised Framework.
4. There are two appeals before me at the same property, one for a detached building comprising a single garage and car port, and one for a detached single garage. The siting would be similar, and I have therefore considered them in the alternative. The Council's reason for refusal is the same for both proposals. In respect of each appeal, I have considered them on their individual merits but to avoid repetition I have dealt with them together in this one appeal decision.

Main Issue

5. The main issue in both appeals is whether the proposed development would be inappropriate development within the Green Belt.

Reasons

6. The appeal property is a recently constructed detached dwelling on the north side of Heath House Road. It was one of two houses permitted under the Council's Ref: PLAN/2020/0386 to replace an earlier pair of semi-detached dwellings. Since the new house was completed, there has been a two storey front extension granted permission under the Council's Ref: PLAN/2022/0951 and now built out. The dwelling is set back from the road and in line with the adjacent house, built at the same time and of a similar scale and design. The site lies within the Green Belt. There are a variety of detached dwellings in their own grounds along both sides of Heath House Road, most of which are set back from the road and interspersed with woodland.

7. This proposal under Appeal A is for a detached building for a single garage and carport and under Appeal B for a detached garage.
8. Paragraph 154 of the Framework sets out that the construction of new buildings in the Green Belt is inappropriate except for a limited number of exceptions including c) the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. The term 'disproportionate' is not further defined.
9. The Council has referred to Policy CS6 of its Core Strategy 2012, which confirms that it will exercise strict control over inappropriate development within the Green Belt as outlined under the Framework. Policy DM13 of the Woking Development Management Policies Development Plan Document (2016) (DMP DPD) relates to buildings in and adjacent to the Green Belt. There is a general presumption against the construction of new buildings in the Green Belt subject to a number of exceptions, including the extension and alteration of buildings where the proposal does not result in disproportionate additions over and above the size of the building as it existed on 1 July 1948 or if it was constructed after the relevant date as it was first built. The policy does not further define 'disproportionate' additions, but the Reasoned Justification refers to a range of 20-40% above the original volume of the building, but it is made clear that each case will be judged on its individual merits.
10. Following case law and as a result of its proposed use, its modest scale in relation to the main dwelling and its siting well within the domestic site and in close proximity to the main dwelling, it is my view that the proposed development, under either Appeal A or Appeal B, would be a normal domestic adjunct to the main dwelling. It would therefore fall to be considered under Paragraph 154 c) of the Framework. The Council has reached the same view that the proposal would fall to be considered under Paragraph 154 c) of the Framework as well as Policy DM13 of the DMP DPD and the Appellant is not seeking to disagree with this assessment.
11. The Council has set out the potential increases in footprint, volume and floor area between the house as originally built (under the Ref: PLAN/2020/0386), and as it exists now with the front extension and then with the proposal now before me in respect of both proposals. The Appellant has sought to compare, in percentage terms, the proposed increases against the existing building, whereas the Framework and development plan policy are clear that the consideration relates to a comparison with the original building. Although individual developments and proposals may be very modest, this approach seeks to safeguard against cumulative increases which, when taken altogether, could create an increase which is disproportionate to the size of the original dwelling. I therefore consider the Council's assessment to be more helpful and the Appellant has not sought to disagree with the figures presented by the Council.
12. These figures demonstrate that under both appeals the proposal would, when taken together with the existing extension, be above the 20-40% indicative guideline in terms of volume above the original volume, set out in the Reasoned Justification to Policy DM13 of the DMP DPD, with a greater exceedance under Appeal A reflecting the larger proposal. However, the text makes it clear that there may be cases where either a higher increase would be acceptable or a lower increase still found to be disproportionate and therefore, each case will be considered on its individual merits.

13. Although either proposal would be detached from the main dwelling, it would be sited in close proximity and follow through a similar width to the forward extension. It would have a modest eaves and ridge height. In terms of siting, scale and proportions either proposal would appear as a subordinate addition to the main house.
14. The existing house is set back a good distance from the road frontage with a large and open front garden mainly laid to lawn either side of the driveway. Either proposal, given its modest footprint and proximity to the dwelling, would reduce to a very limited extent the very generous area of open front garden, retaining an open frontage to the site and maintaining the openness to the front of the building.
15. Taking all of these factors into account, it is my view that neither proposal under Appeal A or under Appeal B would be a disproportionate addition to the original dwelling, taking account of the existing permitted and built extension. Both proposals would fall within the exception set out at Paragraph 154 c) of the Framework and Policy DM13 of the DMP DPD and would therefore not be inappropriate development.
16. Furthermore, as the proposal, in either case, would comprise an exception to inappropriate development, it follows that there would be no adverse effect on openness and that none of the Green Belt purposes would be infringed.

Other Considerations

17. The Appellant has provided me with several appeal decisions, all of which have addressed the issue of whether the proposal in that particular case would or would not be inappropriate development, including some where Woking Borough Council determined the original applications, as well as from other authorities. Each proposal must be judged on its individual merits but to the extent that these other appeal decisions raise similar matters I have taken them into account. Nonetheless the conclusions reached by the Inspectors in each of these cases were clearly, as to be expected, based on the particular circumstances of the proposal before them. They did not rely solely on an arithmetic calculation but also looked at other relevant matters to reach an overall judgement as to whether the proposal in the particular case before them would or would not be inappropriate development. That has been the basis of my consideration in these cases.

Conditions

18. In terms of conditions, and in respect of both appeals, the materials should be as specified on the plans to respect the character and appearance of the existing property and of the local area, and the approved plans should be listed for the avoidance of doubt and in the interests of good planning. I shall also add a condition to ensure that the development permitted is used in accordance with its intended purpose to safeguard the character and appearance of the existing property and of the local area

Conclusion

19. For the reasons given above and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be allowed.

L J Evans

INSPECTOR