



Appeal Decision

Site visit made on 2 April 2025

by **David Murray** BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 APRIL 2025

Appeal Ref: APP/A3655/D/25/3360810

67 Brookwood Farm Drive, Knaphill, Woking, GU21 2FT

- 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 Darren Luff against the decision of Woking Borough Council.
 - The application Ref is PLAN/2024/0782.
 - The development proposed is the erection of a rear outbuilding following demolition of existing shed and re-positioning of existing pergola and erection of decking area.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a rear outbuilding following demolition of existing shed and re-positioning of existing pergola and erection of decking area, at 67 Brookwood Farm Drive, Woking, GU21 2FT, in accordance with the terms of the application, Ref PLAN/2024/0782, and the plans submitted with it, subject to the conditions set out in the attached Schedule.

Main Issues

2. The main issues are:
 - The effect of the outbuilding, pergola and decking on the character and appearance of the host property and the local area;
 - Whether sufficient amenity space would be retained in the interest of the living conditions of the occupiers of the house; and
 - The effect on the surface water drainage system for the estate and whether the development would contribute to the risk of flooding.

Reasons

Background

3. The appeal site comprises a detached two storey house with rooms in the roof at the second floor, which is situated on a relatively modern housing development. It lies on the corner of Brookwood Farm Drive and the access to a cul-de-sac of housing called Ayrshire Crescent which is gated close to the end of the host dwelling's garden. The proposal is retrospective.

The effect on character and appearance

4. The rear garden of the host property runs along side the access at Ayrshire Crescent and the adjoining houses are set further back. The outbuilding and the

pergola are therefore located in a position which is quite prominent to the public realm.

5. However, the existing fence along the side of the garden is made from timber slats placed vertically and the exterior walls of the outbuilding have a similar form with vertical timber cladding. Although the height of the outbuilding exceeds the fence by about 1m, the structure does not appear intrusive in the street scene. Moreover, part of the visual impact of the outbuilding is broken up the presence of the wooden pergola in front of it. I therefore find that the outbuilding and pergola do not have a harmful visual effect on the public realm of the street scene and the surrounding area.
6. In terms of the effect on the host property itself, I noted at the site visit that the extent of garden that goes with the property is limited. However, the pergola is an open structure above the raised decking and this area would still contribute to the 'useability' of the garden space. As a hard-wearing surface the decking will accommodate more activity in the garden than just a small area of grass which may be prone to erode.
7. Overall, on this issue I find that the elements of the proposal are small in scale and ancillary to the residential environment of the host property, and in visual terms do not harm the character and appearance of the area. As such there is no conflict with Core Strategy Policies CS21 and CS24 on good design and the need to protect the character of local townscape.

Affect on amenity space

8. The Council sets out the standards applied in the Supplementary Planning Document Outlook, Amenity, Privacy and Daylight (2022) (SPD) which is a material consideration. The SPD indicates that the host property should have an amenity space of at least 30sqm. Some 38.5 sqm are said to have existed before the outbuilding was installed and the proposal reduced it to 25.54 sqm. The Council says this this would be further reduced by the area of decking. However, the decking is still a useable part of the amenity area and need not be discounted.
9. Moreover, general planning guidance should be applied in a reasonable way rather than in strict adherence to a mathematical formula. In this case it appeared to me that the extent of open garden that remained was still reasonable for the size of the property and the degree of shortfall from the standard at about 4.5 sqm was not material. The outbuilding, which the applicant refers to as a 'garden room' appears to be a readily demountable structure and any short fall in the extent of the garden area need not be on a permanent basis.
10. I conclude on this issue that while the proposal may result in a slight shortfall of usable amenity space judged against the standards in the SPD, a refusal of the scheme solely on this factor is not justified.

Disposal of surface water

11. The Council indicates that the surface water drainage system for the Brookwood Farm development was designed to cope with the proposed building footprints and proposed hard-surfaces, and a climate change factor, but not subsequent increases in these footprints or hard-surfaces. The Council report that there have already

been multiple incidences of internal property flooding by surface water on the estate.

12. In terms of the practical issues in this case, the Lead Local Flood Authority (LLFA) recommends a condition on securing a surface water drainage scheme to include water harvesting and a means of slowing down water release. The Council appears to take issue with that advice but nevertheless recommends a condition on the submission of a surface water drainage scheme.
13. From my visit to the site it appears to me that the hard surface with the timber decking is small in scale and the degree of rain water dripping off the decking would be little different to the effects of rain water on grass or soil. The outbuilding has a roof area of about 13sqm. There did not appear to be any guttering from the roof so it appears that rainwater simply drips off the lowest part of the roof depending on the slope.
14. This may contribute to local surface water flooding but as the extent of the flat roof is not great, I am satisfied that the issue can be resolved in the medium term with a simple surface water management facility, for example with water butts and a slow release into the soil. This can be conditioned. On this basis the flooding issue would be mitigated and any conflict with Policy CS9 would be overcome.

Planning balance

15. On the main issues I have found that the proposed outbuilding, pergola and decking are small in scale and do not harm the character and appearance of the host dwelling or the surrounding area. Although the size of the outbuilding would result in a smaller area in useable garden, slightly below the Council's general standard, this shortfall is not significant, and the outbuilding can also be used for purposes associated with the garden. Finally, there is a local problem associated with surface water flooding. However, the impermeable hard surface involved with the proposal is not extensive and the issue can be resolved with the provision of a suitable surface water drainage scheme which should be submitted, agreed by the Council and implemented within the next six months. This can be conditioned.
16. With this condition I conclude that the proposal reasonably meets the requirements of the relevant parts of the development plan as set out above. This accord with the development plan when read as a whole is not outweighed by any other considerations and therefore the appeal should be allowed.

Conditions

17. The Council recommends four conditions. No.1 sets out the plans that are approved and I will impose this condition in the interests of clarity. In addition, No.2 indicates that the external materials of the work shall be implemented and retained thereafter, and this is necessary to maintain the appearance of the area. Condition No.3 requires the submission and implementation of a surface water management scheme as I have referred to in paragraph 14 above. Finally, condition No.4 specifies that the outbuilding shall only be used for purposes ancillary to the host dwelling at No.67 and I will impose this to maintain the appearance of the area and the living conditions of the occupiers of neighbouring residential properties.

Conclusion

18. For the reasons given above the appeal should be allowed.

David Murray

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall be retained in accordance with the approved plans listed below:

Location Plan - Submitted to the LPA 28th October 2024

Block Plan

67BFR_PLANS A

67BFR_EXISTING ELEVATIONS

67BFR_PROPOSED ELEVATIONS

Submitted to the LPA 21st November 2024

2. The development hereby permitted must be retained only in accordance with the external materials as set out in the Materials section of the submitted application form. The development hereby permitted must be permanently retained as such unless otherwise first agreed in writing by the Local Planning Authority.
3. Within six months from the date of the planning permission granted a surface water drainage scheme must be implemented in full on site in accordance with details of a surface water design scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. The surface water design scheme to be submitted for approval must satisfy the SuDS Hierarchy and be compliant with the National Planning Policy Framework (NPPF) and the accompanying Planning Practice Guidance (PPG). Once installed the surface water drainage scheme shall be retained and maintained in accordance with the approved details for the lifetime of the development.
4. The outbuilding hereby permitted must only be used for purposes ancillary to the residential use of the dwellinghouse currently known as '67 Brookwood Farm Drive ' and must not be used as an independent residential or commercial unit.

End