



Appeal Decisions

Site visit made on 29 April 2025

by **J Bowyer BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025

Appeal A Ref: APP/A3655/W/24/3351004

Hoodsfield House 18 Rectory Lane, Byfleet, West Byfleet, Surrey KT14 7LR

- 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 Simon Race against the decision of Woking Borough Council.
 - The application Ref is PLAN/2023/0633.
 - The development proposed was described as 'a replacement boundary wall, vehicle crossover and new driveway hardstanding'.
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Appeal B Ref: APP/A3655/Y/24/3351009

Hoodsfield House 18 Rectory Lane, Byfleet, West Byfleet, Surrey KT14 7LR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Simon Race against the decision of Woking Borough Council.
 - The application Ref is PLAN/2023/0634.
 - The works proposed were described as 'a replacement boundary wall, vehicle crossover and new driveway hardstanding'.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. No action for the reasons set out below.

Preliminary Matters

3. The appeal site includes a Grade II listed building 'Hoodsfield'. Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) ('the Act') restricts 'any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised'. Section 1(5) of the Act defines a listed building as, in summary, the building itself along with any object or structure fixed to the building or within its curtilage since before 1 July 1948.
4. In relation to Appeal B, there is nothing before me which confirms that the proposal includes any works for the demolition, alteration or extension of the Grade II listed building known as Hoodsfield and/or any structures identified as being curtilage listed. Having regard to section 7 of the Act, I therefore invited the main parties to comment on whether the proposal requires listed building consent. In response, the appellant and the Council both indicated that listed building consent would not be needed. I agree and on the basis of the above, I conclude that the proposal does not

include works that require listed building consent. As a consequence, no further action is necessary on Appeal B.

5. In considering Appeal A, I have nevertheless had special regard to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest which it possesses in accordance with section 66(1) of the Act.
6. The descriptions of the development and works in the banner headings above are taken from the application form. However, in determining Appeal A, I have used the description as stated on the Council's decision notice and entered by the appellant on the appeal form, namely, 'Erection of boundary wall with 1.5m pillars with railing infill, new 1.5m high gates, formation of new vehicular access and creation of hardstanding', as it is more accurate.

Main Issues

7. The main issues are:
 - i) The effect of the proposal on the setting and significance of the Grade II listed building 'Hoodsfield'; and
 - ii) the effect of the proposal on the character and appearance of the area.

Reasons

Listed Building

8. Hoodsfield dates to the late 16th century. The historic part of the building includes an exposed timber frame with whitewashed brick and rendered infill; a plain-tiled roof with a large, off-centre ridge stack and a smaller end stack; and a central gabled porch. The building has been extended with late 19th and 20th century additions to its sides. These are of significant cumulative scale, but their detailing and set down relative to the historic core ensure that they are read as later additions. Consequently, the form, proportions and layout of the historic building remain generally legible and together with its materials and detailing instil a distinctive rural vernacular appearance despite the overall scale of the building.
9. The Council indicates that the building is one of the oldest surviving in Byfleet. Although it now sits amongst modern development, it retains a larger plot than other individual dwellings nearby and there is a wide, relatively generous garden to the front of the building including trees, planting and grass. The close boarded fencing which encloses much of the frontage is not historic or a particularly attractive feature in itself, but the weathered condition helps to soften its appearance at least and it blends somewhat with the tall planting which sits behind. As a result, it does not detract significantly from the generally soft and verdant quality of the immediate setting to the front of the building which reflects its historic rural surroundings.
10. Given the above, I find the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with its age and its architectural, historic and evidential interest as a traditionally constructed rural cottage. Insofar as the site frontage is evocative of the historic rural surroundings, it makes some contribution to the significance of the building as part of its setting.
11. The proposed development would be no higher than the existing fence that it would replace and would be lower than an extension to 18A Rectory Lane adjacent to the

site. However, the materials and form of the boundary treatment including pillars and railings and three sets of solid timber gates would provide for an unexpectedly formal appearance. While brick walls are not unusual in the wider area, the 'polite' style of the boundary would sit awkwardly and unsympathetically against the listed building on the site, eroding its distinctive rural vernacular character. I find as a result that it would stand out as an incongruous and visually jarring feature which would detract from how the listed building is experienced within its setting.

12. In addition, there would be a significant increase in the area of hardstanding on the site. Most would sit behind the boundary wall and gates which would provide for screening, but listed buildings are safeguarded for their inherent architectural and historic interest which is not dependent upon the availability of public views. The hardstanding would replace existing areas of grass and planting and would result in a marked reduction in the soft and verdant quality of the frontage. This would exacerbate the urbanising effect of the proposal and although the hardstanding may not adjoin the historic core of the building, there would consequently be further detriment to the contribution that the immediate setting currently makes to the significance of the listed building.
13. I find for these reasons that the proposal would fail to preserve the setting of the host listed building and would cause harm to its significance.
14. The National Planning Policy Framework ('the Framework') advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that any such harm should have a clear and convincing justification.
15. Noting that the proposal would not affect the fabric of the listed building and relates to only part of the setting, I find the degree of harm caused to the significance of Hoodsfield as a listed building would be less than substantial in the terms of the Framework. Nevertheless, the harm attracts considerable importance and weight.
16. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Framework advises that this harm should be weighed against the public benefits of the proposal.
17. In this case, the sections of railings could increase opportunities for public views of the listed building in comparison to the existing solid fence. However, the building would be viewed within its setting including the unsympathetic boundary treatment and hardstanding which would harm its significance. In my assessment, this harm would more than offset the heritage benefit resulting from the increased potential for views.
18. The proposal would provide additional parking within the appeal site. However, the 4 spaces indicated would exceed the minimum requirement in the Parking Standards Supplementary Planning Document ('SPD') 2018. There is no firm detail before me demonstrating a need for additional spaces above the minimum or to indicate that provision at this level would offer a public benefit. In addition, I have no details explaining any need for the large areas of hardstanding shown to the front of the spaces adjacent to the boundary of No 18A and between the listed building and this boundary. It is therefore unclear that the hardstanding indicated is the minimum

necessary and so an existing shortfall in parking at the site does not offer clear and compelling justification for the proposal.

19. Similarly, the new vehicular access may prevent on-street parking on the adjacent part of Rectory Lane. However, this would not necessarily prevent parking opposite or along the rest of the site frontage. Whether or not Rectory Lane is a bus route, I have no substantive evidence of an existing highway safety issue that would be addressed by the proposal such that the removal of a small stretch of on-street parking would amount to a public benefit of the proposal.
20. The appellant advises that the existing fencing has fallen into disrepair. Be that as it may, it is a relatively unobtrusive feature in the street scene and I am not persuaded that the proposal would offer significant benefit to the character or appearance of the wider area overall. There is also no substantive evidence before me demonstrating that the condition of the existing fence could only be addressed by development of the form currently proposed.
21. Even taken together, I find that the public benefits of the proposal would be insufficient to outweigh the harm that I have identified to the significance of the listed building through development within its setting.
22. Given the above, and in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the setting and significance of the Grade II listed building 'Hoodsfield'. It would fail to satisfy the requirements of the Act and the Framework. There would also be conflict with Policy CS20 of the Woking Core Strategy 2012 ('the CS') and Policy DM20 of the Development Management Policies Development Plan Document 2016 which include requirements broadly seeking the preservation and enhancement of heritage assets and their setting.

Character and Appearance

23. There is variety in the form and scale of buildings on Rectory Lane, but they are generally set back from the street behind frontages accommodating parking and landscaping. In some cases, the boundaries to the frontages are open or vegetated and while many are marked by walls or fences, these are typically low. Although spacing between buildings is in many cases relatively modest, these factors and the presence of verges to some sections of Rectory Lane provide for an attractive impression of openness in views along the street.
24. The existing fence to the frontage of the appeal site is of greater height than is typical for solid front boundary treatments in the area. It is also of greater width given the unusually wide plot, and there are additionally clear views of sections of the fencing which run perpendicular to the street. As a result, the fencing is a somewhat unusual feature in the street scene, albeit that its weathered condition softens its appearance and visual impact.
25. The brick finish of the proposed wall would be more visually prominent than the current weathered fence. The development would also be of greater maximum height than other walls nearby and the number, height and solid form of the three sets of timber gates would be unusual. However, it would be no higher than the existing fencing at the appeal site. Moreover, the sections of wall between pillars would be lower than the existing fencing with railings above which would increase views through these parts of the boundary. In my judgement, this would offset the visual impact of the gates and brick finish so that the proposal would not be

significantly more prominent overall. Furthermore and having regard to the height and position of the existing fencing, there would not be a harmful loss of spaciousness or new obstruction to open views along the street.

26. While it may not fully reflect the characteristic pattern of development nearby, there is nevertheless existing variety in the design of walls and fences along Rectory Lane. I find given the above that the treatment of the boundary would not stand out and it would be suitably sympathetic as sought by the Outlook, Amenity, Privacy and Daylight SPD 2022. In addition, the extent of hardstanding would not be excessive relative to the frontage of the appeal site and would not stand out against examples that I observed to other sites nearby.
27. Although I have found above that the proposal would be unsympathetic against the listed building and would cause erosion of the remnant rural quality of the appeal site, this quality is unusual in the Rectory Lane street scene which has a more suburban character. Having regard to the above factors, I am satisfied that there would not be tangible harm to the character and appearance of the wider area.
28. For these reasons, I conclude that the proposal would not cause unacceptable harm to the character or appearance of the area and in this respect, I find no conflict with Policies CS21 or CS24 of the CS which include requirements for suitable boundary treatments and for development to, broadly, respect and make a positive contribution to the street scene and townscape character. The Council's reason for refusal additionally suggests that the proposal would be contrary to the Design SPD 2015, but its evidence does not explain in what specific respect and I do not identify any unacceptable conflict.

Other Matters

29. I note that the Council's Historic Building Officer did not object to the proposal and pre application advice given by the Council indicating that a boundary of greater height than is now proposed would appear in keeping. However, I must come to my own view on the basis of the evidence before me, and these are not matters which lead me to alter my findings on the main issues.

Conclusion

30. While there would not be unacceptable harm to the character and appearance of the wider area, the proposal would fail to preserve the setting and significance of the listed building on the appeal site. The proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that Appeal A should be dismissed.

J Bowyer

INSPECTOR