



Appeal Decision

Site visit made on 17 September 2025

by **G Ellis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 October 2025

Appeal Ref: APP/A3655/D/25/3370259

118 Albert Drive, Woking, GU21 5UA

- 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 Miss Emily Young against the decision of Woking Borough Council.
 - The application Ref is PLAN/2025/0192.
 - The development is “planning for outbuilding, ancillary use”
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Decision

1. The appeal is allowed, and planning permission is granted for an outbuilding, ancillary use in accordance with the terms of the application, Ref PLAN/2025/0192 and the plans submitted with it.

Preliminary Matters

2. The outbuilding has been erected with internal fitting out to be completed. This is therefore a retrospective proposal, and I have considered it as such.

Main issues

3. The main issues are i) whether the outbuilding would be for an ancillary use or would constitute a separate residential unit, ii) the effect of the development on the character and appearance of the host property and locality, and iii) the effect on the living conditions of the occupiers of the neighbouring properties – Nos. 116 and No.120 Albert Drive, with particular regard to an overbearing impact.

Reasons

4. The outbuilding structure, as it exists, comprises two elements. The larger and original outbuilding is referred to as the north-western wing. This proposal relates to an extension that has been added to the rear (south-eastern wing). It is notable as an addition through the change in the brickwork and a slightly higher flat roof form. Whilst attached, there is no internal connection between the two elements.

Ancillary Use

5. The Council’s concern is that the outbuilding is capable of functioning as an independent residential unit. The comments in the officer’s report regarding the size of the building, kitchen area and bathroom facilities relate to the north-western wing in relation to which there is a Lawful Development Certificate (Council reference PLAN/2018/0123). The full details are not before me; however, whether that building is being used in accordance with those provisions is a separate matter.

6. Policy DM9 of the Development Management Policies Development Plan Document 2016 (DPD) allows for ancillary residential extensions with freestanding units considered where it is demonstrated that they are genuinely ancillary to the occupation of the main house.
7. The newly erected outbuilding extension is of a modest size. The plans annotate it as a sensory/care room, and whilst they do show a toilet, there are no other facilities. There is access to the rear garden from the side of the house, but you have to walk over the full length of the relatively narrow garden to reach the outbuilding. Its door is located on the southern elevation, and the property backs onto the railway line, making it inaccessible from the rear.
8. I understand the Council's concerns regarding the substantial scale of the entire outbuilding and the potential for future internal connection. There is, however, no specific evidence before me that any part of the outbuilding is being used as separate accommodation, and that is not what has been applied for.
9. The appellant explains that the facility is to help support their children. Additionally, having regard to established case law¹ the provision of facilities which may allow for independent day-to-day living does not necessarily mean that it would become a separate planning unit from the main dwelling. If there is a material change of use in the future to create an independent dwelling, then a separate grant of planning permission would be required.
10. In light of the above, the proposal would not involve the creation of a separate residential unit. The proposal would therefore accord with DPD Policy DM9, which supports ancillary residential extensions.

Character and Appearance

11. The mid-terrace property is reflective of the post-war housing estate. Along with its neighbours, it has a very long garden with the railway line running along the rear. The extension is located beyond the previously erected outbuilding, and together they have a large footprint. However, due to the length of the plot, a significant area of open garden remains, and the outbuilding is situated some distance from the host and neighbouring properties. Used as part of the main house, the proposal does not directly impact the residential character of the area or the existing development pattern.
12. While not of the same scale, other properties have a variety of outbuildings and other domestic features within their gardens. Combined, the outbuilding is large, but it is a low-level structure. With a limited width to the garden and close boarded fencing to the side boundaries, it is not an overly prominent structure, and its depth is not discernible from the rear of the house. It is also not visible from Albert Drive.
13. I therefore find that the proposal does not have a harmful effect on the character and appearance of the host dwelling or the surrounding area. Thus, it aligns with Core Strategy (CS) policies CS21 and CS24, which support the creation of attractive buildings that make a positive contribution to the street scene and conserve the existing character. Similarly, the proposal accords with the National Planning Policy Framework (the Framework), which states that developments should be sympathetic to local character.

¹ Uttlesford DC v SSE & White [1992]

Relationship with neighbours

14. The extension to the outbuilding is located at the rear of the garden, closest to the railway line. With a flat roof, it has limited height, the door is located to the rear, and the only window is positioned below the fence line. Although the combined structure has considerable length, it does not project substantially above the boundary treatment, and it would not be overly visible from the neighbouring gardens. Therefore, I do not find that it would be an overbearing feature, and there is a significant separation between the rear of the houses and the outbuilding. As such, the proposal has not resulted in a material change to the neighbouring occupants' enjoyment of their home and garden, and accordingly, there would not be a significant loss of amenity for the occupiers of Nos. 116 and 120 Albert Drive.
15. The development therefore complies with CS Policy CS21 and the Council's Supplementary Planning Documents (SPDs) Design (2015) and Outlook, Amenity, Privacy and Daylight (2022) with regard to achieving a satisfactory relationship with adjoining properties and avoiding significant harm, including an overbearing effect.

Conditions and Conclusion

16. As the outbuilding has already been erected, conditions in relation to the commencement of development and materials are not necessary.
17. The Council have suggested conditions restricting the use to purposes incidental to the enjoyment of the dwelling house and preventing the insertion of further openings. However, as set out above, if there is a future material change of use to create a separate dwelling, another grant of permission would be required; without it, the use would be at risk of enforcement action. Additionally, as the boundary treatment screens the elevations, there is no potential harm from overlooking. Therefore, these conditions are not necessary.
18. For the reasons set out, the appeal is allowed and planning permission is granted for the extension to the outbuilding.

G Ellis

INSPECTOR