

*Appeal Ref: APP/A3655/W/20/3265969*

*Appeal Ref: APP/A3655/W/20/3265974*

*Site Addresses: Land South of Kingfield Road and East of Westfield Avenue, Westfield Avenue, Westfield, Woking and Land South of Hoe Valley School, Woking*

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26<sup>th</sup> April 2021

1.0 The following is a rebuttal to the evidence provided by Mr Peter Rainier's 'Proof of Evidence' in relation to the site at Kingfield Road. I have included paragraph references in relation to Mr Rainier's proof. I have raised two specific points; other matters will be addressed in the Appellant's evidence and cross examination at the Inquiry.

### **Para 7.29**

1.1 Mr Rainier is incorrect in his statement where he states that there is 'no established guidelines for what is acceptable or unacceptable'.

1.2 There are clear established guidelines contained in the SPD Outlook, Amenity, Privacy and Daylight (2008), the relevance of the SPD is provided in the Local Planning Authority's reason for refusal 3. Mr Rainier refers to this SPD in the preceding paragraph (7.28). The SPD gives very clear guidance on the acceptability and dimensional acceptability in a whole range of circumstances, and situations. These are covered in detail in Section 4 of my proof and in my appendix and the relevance of the SPD is also referred in the proof of Mr Collins for the Appellant.

### **Para 7.31**

1.3 Having looked at Mr Rainier's evidence, and in particular the photograph produced at page 30. This evidence is misleading as is taken across the neighbours garden through what appears to be a missing fence panel, rather than a view looking at the neighbours actual boundary. I attached herewith an aerial view of the property in question on which I have annotated notes identifying the following:

- the dashed red line is the boundary to next door, where the fence panel appears to be missing
- the cone coloured yellow shows the direction in which the photo has been taken missing the main trees and looking over a neighbours land
- the main trees to the boundary

1.4 The view from the back of the property can be seen to be filled with existing trees, rather than this snapshot view over the neighbours garden where tree cover is less extensive. My evidence deals with an analysis of the impact at this interface (see paras 4.3.00 to 4.3.18 of my proof of evidence).



**Figure 1:** Diagram showing Mr Rainier's photo from page 30.