



Appeal Decision

Site visit made on 29 August 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12th September 2017

Appeal Ref: APP/R3650/D/17/3179865

Acer Cottage, 145 Lion Lane, Haslemere GU27 1JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Helen Gowlett and Trev Craggs against the decision of Waverley Borough Council.
 - The application Ref WA/2017/0443, dated 21 February 2017, was refused by notice dated 27 April 2017.
 - The development proposed is a two storey side extension following demolition of conservatory.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the living conditions of the adjoining occupier in relation to light, overshadowing and enclosure.

Reasons

3. Acer Cottage is one of three detached houses that were built in 1987. Whereas Valley End and Little Gables front Cherry Tree Avenue, Acer Cottage occupies a corner plot and therefore fronts Lion Lane. Consequently, the garden of Acer Cottage is to the side of the house, rather than to the rear.
4. The proposal seeks to replace an existing conservatory with a two-storey side extension with a pitched roof. It would be less than 1m from the common boundary with Valley End and would project along it by 4m. The proximity of the proposal to this adjacent property, combined with its height and depth, would appear overbearing and visually dominant from the rear facing rooms of Valley End. The extension would not only reduce the outlook from the house but would also introduce a strong sense of enclosure into its garden.
5. As the houses back north any loss of sunshine and overshadowing would be limited to the early morning and would primarily affect the garden. However, the proximity of the proposal would lead to a material loss of light, making both the house and garden of Valley End darker and less pleasant places to be.
6. This combination of factors demonstrates that the proposal would adversely affect the living conditions of the occupants of Valley End. There may be a number of legitimate reasons why they choose to close their curtains during the day. However, that is not a justification for permanently altering the outlook from the windows of the dwelling's rear elevation.

7. I conclude that the proposal would be an unneighbourly development that would be harmful to the living conditions of the occupants of Valley End, arising from its overbearing appearance, resulting in a loss of outlook, a loss of light and a limited loss of sunshine. It would therefore conflict with saved Policies D1 and D4 of the Waverley Borough Local Plan which, amongst other things, seek to protect the amenity of occupiers of neighbouring properties.
8. It would also be contrary to the advice and guidance set out in the Council's Supplementary Planning Document: *Residential Extensions*, which requires an applicant to demonstrate that no harm to a neighbouring property would arise from a two-storey extension near a shared boundary.
9. For this reason, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR