



Appeal Decision

Site visit made on 24 June 2025 by J Reed MPlan

Decision by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 SEPTEMBER 2025

Appeal Ref: APP/R3650/D/25/3361709

Brook Cottage, Station Lane, Godalming, Surrey GU8 5AE

- 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 & Mrs N Clark against the decision of Waverley Borough Council.
 - The application reference is WA/2024/02085.
 - The development proposed is erection of extensions and alterations together with erection of a detached garage following demolition of existing.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The appellant and the Council have agreed on a differing description of development to that used on the application form. As a result, I have adopted the amended description of development in the banner heading above.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the garden users and occupants of Shepley Cottage with regard to sunlight and outlook.

Reasons for the Recommendation

5. The appeal property is a two storey detached dwelling set within a generous plot, with an area of hardstanding for parking to the front and a large garden area to the rear. The appeal site is set within a stretch of Station Lane consisting of other two storey dwellings. The appeal dwelling and its neighbour, Shepley Cottage, share a boundary and their gardens are side by side. There is a close boarded timber fence and various planting separating the properties, with a patio area with outdoor seating located directly over the fence from the proposed extension.
6. The proposal would replace the existing single storey side addition with a two storey extension. Although not extending further to the rear than the existing structure, the flank wall would move closer to the side boundary with Shepley Cottage and stand 4.6 metres high to the eaves. Its length along the shared boundary, coupled with its height and blank appearance, would dominate views for

users of the rear garden of Shepley Cottage, even allowing for the setback of approximately 1.7m from the shared boundary. This physical proximity and visual dominance would result in an oppressive structure which would feel overbearing to neighbouring garden users, particularly when using the patio area, to the detriment of their living conditions.

7. The Council's Residential Extensions Supplementary Planning Document (October 2010) (the SPD) outlines guidance for two storey extensions and their proximity to the boundary. It states that two storey side extensions should be no closer than 1 metre of the boundary and two storey rear extensions should be no closer than 3 metres. The proposal is primarily to the side of the existing dwelling and would accord with the guidance in respect of side extensions. However, this appears aimed primarily at extensions that would align directly with the side elevations of neighbouring properties, given its purpose is to avoid a terracing effect. In this case, the proposal would also extend rearward of the neighbouring property, and so it is reasonable to also consider the guidance as it relates to rear extensions. The extension would be considerably closer than the 3 metre distance. I accept that the distances outlined within the SPD are guidance; however, it is clear that rear extensions are expected to have greater separation from the site boundary to protect neighbours' living conditions, which the proposal would fail to accord with.
8. In addition, the appellant has provided shadow diagrams showing the difference between existing and proposed levels of overshadowing of the neighbours' rear patio area at the time of the spring and autumn equinoxes. These show that the neighbouring patio would experience increased shadowing and a loss of direct sunlight in the morning during these times of the year. While the appellant points to the patio being used more infrequently during the spring and autumn, neighbouring occupants can and should be able to enjoy the space at these times, and their enjoyment of the patio would be adversely impacted due to combination of increased overshadowing and loss of direct sunlight.
9. The appellant's evidence indicates that at the summer solstice the levels of sunlight experienced at Shepley Cottage's patio area would not be adversely affected with the proposed development in situ. There is no detailed evidence before me to suggest otherwise; however, this does not overcome my concerns above with overshadowing at other times of the year. Moreover, the fact that the neighbouring garden is large and occupants have other potential seating areas does not in my view mitigate for the harm identified, which would affect the area closest to the house and therefore that likely to be more frequently used.
10. The appellant has also referred to the removal of some substantial trees, which were causing overshadowing, as a benefit of the development. However, this appears to have occurred prior to the application being made, and I am obliged to assess the proposal on the basis of the current site conditions. I noted new trees planted in the neighbouring garden but saw these are located largely beyond the depth of the proposed extension and would not sufficiently screen its massing or dilute its overbearing and overshadowing impact.
11. The submitted shadow diagrams also show the current and proposed situations in respect of the ground floor side window serving the study/playroom at Shepley Cottage. The levels of sunlight experienced would not alter demonstrably as a result of the proposal as presently there is a limit in sunlight experienced due to the

position of Shepley Cottage's existing rear extension and the boundary treatment. I consider occupants' living conditions to be sufficiently safeguarded in this respect.

12. There is no dispute between the parties regarding the acceptability of the proposed detached garage, and I see no reason to disagree with this conclusion.
13. However, for the reasons set out, the proposed two storey extension would have an adverse effect on the living conditions of garden users at Shepley Cottage due to overbearing impact, increased overshadowing and loss of sunlight. As such it would fail to comply with Policy TD1 of the Waverley Borough Local Plan Part 1 (2018) and Policy DM5 of the Waverley Borough Local Plan Part 2 (2023) which, among other things, aim for development to avoid harm to the amenity of future and existing occupants of nearby residences.

Other Matters

14. I note there are some letters of support for the proposal. However, these do not raise any considerations of such significance as to outweigh the harm that I have identified in relation to the main issue.
15. The Council did not identified harm in respect of the Green Belt, the character and appearance of the host dwelling and area, biodiversity or climate change and sustainability; however, an absence of harm in these matters means they are neutral considerations in the overall planning balance.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

K Savage

INSPECTOR