



Appeal Decision

Site visit made on 3 September 2025

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2025

Appeal Ref: APP/R3650/D/25/3369303

2 Burstock Close, Farnham, GU9 0AF

- 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 Mr & Mrs J & L Blythe against the decision of Waverley Borough Council.
 - The application Reference is WA/2025/00751.
 - The development proposed is alterations to roof space to provide additional habitable accommodation with installation of rooflights and a Cabrio window.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

Living conditions

3. The appeal property is a semi-detached two-storey dwelling in a close of 4 homes set within a longer established residential area of generally larger properties in mature landscape. It is on a rectangular plot with a rear garden which drops towards the end boundary line. The proposal is as described above, the cabrio window would be on the rear roof slope and incorporate a retracting balcony arrangement.
 4. As with most suburban areas my sense is that many local rear gardens will not benefit from total privacy, there is often a degree of inter-visibility from neighbouring windows at upper levels. In the case of the row of 4 dwellings in Burstock Close this is more than most of the locality because of their tight proximity, alignment, modest gardens, and relative lack of mature vegetation. Viewing outwards and downwards, on occasions, from within rooms behind first floor windows to nearby rear gardens is thus an expected part of living here. However, a person being outside on a cabrio balcony, at a higher level, able to view further and arguably at a more intrusive angles, such as via leaning over, would be a different matter. There is no doubt in my mind that more could be seen in reality, the perception of being over-looked would increase greatly, and the result would be appreciable extra discomfort for residents of Nos 1 and 3 Burstock Close, which lie either side of the appeal property. The intrusion would be manifest and unreasonable.
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5. No 2 Wood Road is on lower ground and lies to the rear of the appeal property. It has its principal private outdoor amenity space to its side and broadly in line with the appeal property. Vegetation and screening presently largely shields this area from significant viewing from existing first floor windows of the appeal property and others in Burstock Close and my assessment was that, whilst not total, a reasonable degree of privacy was inherent. Regrettably the appeal scheme would reduce that privacy appreciably in my opinion. The additional height of what would be a substantial roof window on a higher-ground property, would allow a significant degree of over-looking not presently found. Added to this the cabrio balcony, especially in an area where balconies hardly feature and roofs are generally traditional and subtle in form, would not only decrease privacy but would introduce people placed externally at high level such that any sense of being over-looked would be additionally amplified and markedly alien.
6. Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018, Policy FNP16 of the Farnham Neighbourhood Plan (2020) and Policy DM5 of the Waverley Borough Local Plan (Part 2) 2023 are relevant. Amongst other matters they seek to protect residential amenity and ensure a good standard of environment for neighbouring occupiers. I conclude that this proposal would conflict with these policies. The scheme would also run contrary to the parallel objectives of the Council's Residential Extensions SPD, albeit that document cannot be expected to cover every eventuality.

Other matters

7. I understand the wish to enlarge this dwelling for family use and appreciate that the scheme would bring benefits to the household. I was sorry to read that the Appellants felt there was a lack of collaboration from the Council's side during the application process. I hope that a future loft conversion arrangement suitable to all can be found; the determining factor here appears to be a relatively specific one. Whilst some immediate neighbours did not object to the scheme, I have to consider the question of residential amenity for the long term and for future occupiers. Minimum dimensions for interrelationships between properties taken from Council documentation are quoted by the Appellants but these are for guidance only and in this atypical situation I have used my planning judgement on the matter of the suitability of the juxtaposition between the appeal proposals and neighbouring gardens.
8. Having carefully considered all points raised by the Appellants I conclude that the matters do not outweigh the concerns which I have in relation to the main issue identified above. The National Planning Policy Framework has been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

9. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on living conditions for neighbours. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR