



Appeal Decision

Site visit made on 28 October 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Appeal Ref: APP/A3655/D/25/3373470

Westways, 79A Westfield Road, Woking, Surrey GU22 9PX

- 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 Neeta Shenoy against the decision of Woking Borough Council.
 - The application Ref is PLAN/2025/0413.
 - The development proposed is the erection of a single storey first floor rear extension and garage conversion.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised by this appeal is the effect of the proposed development on the living conditions of the adjoining occupiers at No.8 The Orchard.

Reasons

3. Outlook toward No.8 The Orchard would be created by the proposed development at an elevated level toward the private rear garden and to the internal living space of that dwelling. The Council's adopted Supplementary Planning Document (SPD) Outlook, Amenity, Privacy and Daylight 2022 advocates a minimum separation distance of 10m to the rear boundary and 20m between rear elevations at two-storey level. The proposed development would fall below these standards at approximately 8.7m and approximately 19m respectively. The appellant contends that these measurements have not been measured by the Council on site and therefore should be considered as imprecise measurements. However, no alternative measurements have been put forward. As such, there is no clear indication before me that would point to the measurements cited by the Council to be incorrect.
4. The occupiers of neighbouring properties should reasonably expect to enjoy acceptable privacy as part of their residential lives. To my mind the Council's adopted SPD sets out an appropriate minimum separation standard that would ensure the privacy of neighbouring occupiers would not be harmed. The proposed separation in this case would fall short of the SPD standards. As such, this would create overlooking and diminish the enjoyment of both the outdoor and indoor living spaces that the existing neighbouring occupiers should reasonably expect to enjoy.

5. There is currently a balcony where the first floor rear extension is proposed. Although I note there is debate between parties as to its lawfulness, the balcony facilitates elevated observation from the appeal site toward the rear of No.8 The Orchard. Whilst the appellant suggests that the balcony would create year-round overlooking opportunities, in reality the balcony is most likely to be used during those times of the year when the weather is clement.
6. I am advised that the proposed extension would project approximately 2.2m beyond the rear elevation of the house. This would replace the rear section of the balcony, which has a depth of approximately 1.5m. The extension would serve a bedroom, a habitable room that would provide year round living space within the dwelling and have an outlook directly toward No.8 The Orchard and in closer proximity than that of the balcony. The existence of the balcony does not obviate my concerns in respect of the proposed development and the harm that would take place as a result of it.
7. There is a fence along the rear boundary that separates the garden of the appeal site from the garden of No.8 The Orchard. There is also an outbuilding and pergola within the appeal site situated adjacent to the rear boundary fence. At my visit I had access to the balcony and I could see that these structures did not impede my views toward the rear living spaces of No.8 The Orchard. As such, they would not mitigate my concerns such that would allow planning permission to be forthcoming.
8. For these reasons, I conclude that the proposed development would be harmful to the living conditions of the adjoining occupiers at No.8 The Orchard. The proposal would, therefore, conflict with Policy CS21 of the Woking Core Strategy 2012, SPD Outlook, Amenity, Privacy and Daylight 2022 and the provisions of the National Planning Policy Framework. Policy CS21 seeks, amongst other matters, development to achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy. The SPD, as noted above, sets out recommended minimum separation distances in order to protect habitable rooms and intimate areas of private outdoor amenity from being directly overlooked. The proposal has failed to achieve the minimum separation distances.

Other Matters

9. The proposal would enable the occupiers to remain in their home as opposed to relocating and would provide for a more desirable internal living environment within the dwelling without increasing the foot print of the existing dwelling. The proposal would be acceptable in regard of other planning considerations, such as, character and appearance and partial conversion of the existing garage. Whilst these may be merits of the proposal they do not overcome my above concerns or justify the proposed development.

Conclusion

10. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR