



Appeal Decision

Site visit made on 20 October 2025

by D Marley BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/A3655/D/25/3371436

75 Courtenay Road, Woking, Surrey GU21 5HG

- 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 Mrs Abida Ajmal against the decision of Woking Borough Council.
 - The application Ref is PLAN/2025/0296.
 - The development proposed is described in the application form as 'Extension of 2 metres within the ground floor and first floor at the rear of the property. Extension to side return to align in parallel with proposed 2 metre extension at the rear of the property. Installation of new stairway access to the existing loft. All materials, brickwork, external rendering, windows and doors to match the existing property.'
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Decision

1. The appeal is allowed and planning permission is granted for Erection of a part single storey, part two storey rear extension at 75 Courtenay Road, Woking, Surrey GU21 5HG in accordance with the terms of the application, Ref PLAN/2025/0296, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have used the Council's description of development as it more accurately and concisely describes the development to which the appeal relates. It does not fundamentally change the development subject of the appeal. I am therefore satisfied that neither party would be prejudiced by my use of it.
3. The Council has no objection to the single storey element of the proposed development. I have no reason to disagree with those findings.
4. I have had regard to the comments made in respect of inaccuracies within the submitted drawings. However, I consider the plans before me to be sufficiently accurate to assess the proposal without being prejudicial to interested parties. I am assessing the scheme as indicated on the submitted plans as that is the scheme for which permission is sought.

Main Issue

5. The main issue is the effect of the proposed development on the living conditions of the occupiers of 77 Courtenay Road, with particular regard to outlook and sense of enclosure, and sunlight.

Reasons

6. The property at 75 Courtenay Road is a terraced dwelling with a two storey 'outrigger' rear extension directly adjacent to the boundary of 77 Courtenay Road.

The first floor of the rear extension at No 77 is set back from No 75, and includes a window. This window at No 77 is situated in close proximity to the side elevation of the existing outrigger at No 75. The rear elevations of both dwellings face broadly southeast. The proposed development includes the extension of the two storey outrigger at No 75.

7. The outlook from the first floor window at No 77 is already heavily influenced by the presence of the existing side elevation of No 75, including the associated parapet. However, natural outlook from this elevated window is down through the reasonably sized rear garden of No 77, and beyond.
8. Whilst the Outlook, Amenity, Privacy and Daylight Supplementary Planning Document 2022 (the 'SPD') establishes guideline layout dimensions for new development, I am mindful that this establishes guiding principles and that the existing outlook from the first floor window at No 77 already includes both the expansive side elevation of No 75, alongside views of the rear garden of No 77 and beyond.
9. I have also had regard to the guidelines of the Woking Design SPD 2015, and the proposed development would result in some additional side elevation being visible from No 77. However, given the presence of the existing side elevation, together with the overall length and scale of the proposed extension, the outlook from the first floor window, which the Council states serves a bedroom, would not be materially affected by the proposed development. Natural outlook from this window would remain uninterrupted over the rear garden and beyond. Equally, the existing presence of the side elevation of No 75 and the relatively limited nature of the proposed extension would limit any changes to perceptions of enclosure when viewed from this window. The specific length of the room served by the first floor window and its single-aspect nature does not alter my conclusions in this regard.
10. Although not directly set out within the Council's decision notice, concern has been raised in respect of the effect of the proposed development on sunlight reaching the first floor window at No 77. Neither party has provided a substantive assessment in this regard, either in respect of the assessments in the BRE Guide to which both parties have drawn my attention¹, or the SPD. However, the proximity of the window at No 77 to the existing outrigger side elevation at No 75 already acts to limit the extent of sunlight that would reach the window at No 77. Given its broadly south east facing nature, sunlight reaching this window will likely already be limited from early afternoon onwards. For this reason, I am satisfied that the proposed development would be unlikely to result in an unacceptably harmful loss of sunlight to the first floor window of No 77.
11. I therefore conclude that the proposed development would not result in an adverse impact upon the living conditions of the occupiers of 77 Courtenay Road, with particular regard to outlook and sense of enclosure, and sunlight. The proposed development complies with the relevant provisions of Policy CS21 of the Woking Core Strategy 2012 which, amongst other matters, seeks to ensure development avoids significant impacts in terms of loss of sunlight and overbearing effects due to bulk, proximity or outlook.

¹ 'Site Layout Planning for Daylight and Sunlight – a guide to good practice' (2022)

Conditions

12. The Council has recommended a number of planning conditions to be imposed in the event that the appeal is allowed. I have assessed the Council's suggested conditions with reference to the advice in the National Planning Policy Framework (the 'Framework') and Planning Practice Guidance. I have amended the wording of some, and combined provisions of others, without altering their fundamental aims
13. In addition to the standard time limit condition, in the interests of certainty I have imposed a condition requiring that the development is carried out in accordance with the approved plans.
14. A condition is necessary for materials to match those used on the existing dwelling to maintain the character and appearance of the area.
15. The Council has also proposed that some permitted development rights should be removed through condition to protect the living conditions of neighbouring occupiers. The Framework advises that conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. I consider that there is justification to limit permitted development rights in so far as they relate to the insertion of windows, dormer windows and doors on the side elevations of the extension, to avoid adverse impact to the living conditions of neighbouring properties with regards matters of privacy. I do not consider that clear justification exists to restrict the insertion of rooflights to the proposed extension. In addition, I consider the Council's reference to exclude permitted development rights for 'other additional openings' is insufficiently precise.
16. The appellant has also suggested conditions related to the control of boundary treatments and a condition restricting further residential extensions. I do not consider either condition to be necessary as these are unrelated to the development proposed and relate to hypothetical eventualities.

Conclusion

17. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

D Marley

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location and Block Plan, Proposed Elevations, and Proposed Floor Plans & Roof.
3. The external materials of the extension hereby permitted shall match those used in the existing dwelling.
4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, or doors, other than those expressly authorised by this permission, shall be constructed on the side elevations of the extension hereby permitted.