

## Appeal Decision

Site visit made on 8 June 2020

**by Chris Baxter BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 June 2020**

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**Appeal Ref: APP/A3010/W/20/3244208**

**Land Adjacent to 33 Clinton Street, Worksop S80 2RY**

- 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 and Mrs J Foster against the decision of Bassetlaw District Council.
  - The application Ref 19/01247/FUL, dated 5 December 2018, was refused by notice dated 14 November 2019.
  - The development proposed is described as "Proposed resubmission for the erection of a bungalow."
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. At the time of my site the proposed building was under construction. I have dealt with the appeal accordingly.

### Main Issue

3. The main issue is the effect of the proposal on the living conditions of existing and future occupiers of the proposed bungalow and neighbouring properties with regards to outlook, privacy, light and amenity area.

### Reasons

4. The proposed property sits within a predominantly residential area and is within close proximity to the neighbouring properties of Kenilworth Close (KC). The proposal has first floor windows that look directly into the rear windows and gardens of the properties on KC. Due to the position of the property, location of the first floor windows and the proximity of neighbouring dwellings at KC, future occupiers of the proposed property would have uninterrupted views over the gardens and into the rear windows of the properties of KC. This would result in an adverse loss of privacy to the occupiers of the properties on KC.
5. The proposal is not overly large and given the siting of the proposed building and the orientation of surrounding properties, overbearing or overshadowing effects would not be created that would adversely affect the outlook from neighbouring properties.
6. The proposal is for a small two bedroom property with associated garden amenity area. Whilst the proposed amenity area would be small, there would be sufficient to accommodate the needs of the future occupants of a two bedroom property.

7. Whilst I have found that the proposal would have sufficient garden amenity space and would not compromise outlook and light, this would not outweigh the harm I have identified above with regards to privacy.
8. The proposal would therefore have a harmful effect on the living conditions of the occupiers of neighbouring properties with regard to privacy. The proposal would be contrary to Policy DM4 of the Bassetlaw District Core Strategy and Development Management Policies DPD 2011, the National Planning Policy Framework and the Council's Supplementary Planning Document, 'Successful Places' 2013 which seeks new development not to have a detrimental effect on the residential amenity of nearby residents.
9. I have had regard to the appellants statement of case, including previous highway concerns, the planning permission<sup>1</sup> for a two bedroom bungalow and the various meetings and correspondence from Council Officers. These matters however do not alter my findings above.

### **Conclusion**

10. For the reasons set out above and having regard to all other matters raised the appeal should be dismissed.

*Chris Baxter*

INSPECTOR

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<sup>1</sup> Local Planning Authority Reference: 18/01259/FUL