



Appeal Decision

Site visit made on 15 September 2020

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2020

Appeal Ref: APP/D1835/D/20/3255253
36 & 38 Bunns Road, Worcester WR5 3AS

- 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 Jaff against the decision of Worcester City Council.
 - The application Ref 19/00928/HP, dated 1 August 2018, was refused by notice dated 19 May 2020.
 - The development proposed is described as a 'rear & side extension'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupants of No's 34 and 40 Bunns Road, with particular regard to their outlook.

Reasons

3. The appeal relates to a pair of two storey semi-detached dwellings at 36 and 38 Bunns Road. The proposal is for a two storey rear extension that would extend around 6 metres and a single storey extension that would extend about 8 metres from the existing rear elevations of both dwellings. In addition, an existing single storey side extension to No 38 would be replaced.
4. The occupiers of 34 and 40 Bunns Road currently enjoy an uninterrupted outlook from the rear of their properties and over their shared boundaries with No's 38 and 36 respectively. The proposed extensions would be sited in close proximity to the neighbouring boundaries with the flank walls introducing large blank elevations.
5. The combined depth, height and proximity of the extensions to the neighbouring boundaries would consequently create dominant and oppressive features that would have a harmful overbearing effect on the outlook from the back gardens and rear facing windows of both No 34 and 40 Bunns Road. This would significantly diminish the neighbouring residents' enjoyment of their properties and would therefore be harmful to their living conditions.
6. The appellant has advised that the proposal would not impede a 45 degree splay taken from the rear of the neighbouring properties. However, based on the plans before me, it is not clear if this is the case, as the plans do not show sufficient detail, at an appropriate scale, to indicate if this has been taken from

the mid-point of the neighbouring habitable room windows. In any case, I have found the proposal to be harmful based on its proposed scale and its relationship with the neighbouring boundaries.

7. In conclusion, the proposed development would significantly harm the living conditions of the occupants of No's 34 and 40 Bunns Road, with particular regard to their outlook. The proposal is therefore contrary to Policy SWDP21 of the South Worcester Development Plan (adopted 2016) which seeks to ensure that development will provide an adequate level of outlook and not be unduly overbearing. Accordingly, it is also contrary to the associated provisions of the National Planning Policy Framework which requires developments to achieve high standards of amenity.

Other Matters

8. I acknowledge that the proposal would maintain a suitable area of private amenity space for the dwellings and the lack of side windows would not give rise to any overlooking or loss of privacy. However, these are neutral factors that weigh neither for nor against the proposal.
9. My attention has been drawn to a previously approved scheme¹ which includes shorter two storey and single storey rear extensions. In the event that this appeal fails, this represents a legitimate fall-back for the appellant. However, due to the shorter rearward projection of the extensions, it is my view that the approved scheme would be less harmful than the appeal proposal. Therefore, the fall-back does not provide a justification for allowing the appeal.

Conclusion

10. For the reasons I have set out, and having considered all other matters raised, the appeal is dismissed.

Jeff Tweddle

INSPECTOR

¹ Application Ref. P19B0019 and P19B0020