

Appeal Decision

Site visit made on 29 August 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 September 2024

Appeal Ref: APP/D1835/D/24/3346875

8 Tunnel Hill, Worcester, WR3 8QJ

- 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 Mrs C Cooper against the decision of Worcester City Council.
 - The application Ref is W/24/00127/HP.
 - The development proposed is a two-storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Although not shown on the submitted plans or mentioned in the representations, a large box dormer has recently been inserted in the rear roof of the appeal dwelling. I have not been informed whether this was built as a result of a planning permission or as permitted development.
3. Notwithstanding the out-of-date plans, the existence of the new roof structure stands as a material consideration to be taken into account in my assessment of the appeal proposal.

Main issues

4. The main issues are the effect of the proposed development: (a) on the character and appearance of the host property and its surroundings; (b) on the living conditions of the occupants of the neighbouring dwelling at 10 Tunnel Hill with reference to sunlight, daylight and visual impact.

Reasons

5. The appeal property is a semi-detached brick-built dwelling with a ground floor bay at the front. Its adjoined partner is virtually identical at the front. A stone tablet inserted in the front elevation indicates that the pair were known as 'Clifton Villas' when first built. To the rear the pair has a pitched roof two-storey protrusion. A single-storey lean-to structure has been added to the rear of the appeal property.
6. The proposed extension would be the same depth as the existing two-storey protrusion and lean-to. The ground floor element would be wider than the existing, with the eastern wall of the extension acting as a continuation of the dwelling's main flank wall. The first floor extension would be inset, presumably so as to allow light into the only window serving a bedroom in one of the

dwelling's rear bedrooms. The first floor extension would have a flat roof meeting the main structure of the house at its eaves.

7. Combined with the large, prominent box dormer, I find the proposal to be of a mundane and unattractive design which would completely transform the rear of the attractive Victorian house to its detriment both in terms of its appearance and character. I note the appellant's references to other examples of similar development and the tight knit compact character of local development, but none that I saw has the same detrimental visual effect as the appeal proposal, were it built.
8. As the appellant rightly says, the extensions at the rear would hardly be apparent in the public realm. I regard this as the only advantage of the scheme in planning terms. However, several neighbours would see the complete poorly-designed development clearly from their gardens, and some from within their houses. The Government attaches considerable importance to design, and the *National Planning Policy Framework* advises that development that is not well designed should be refused. I propose to follow that guidance here.
9. I therefore conclude that the proposal, in combination with the roof extension recently carried out, would harm the character and appearance of the host property and the surrounding area. Accordingly, a material conflict arises with the main objectives of policy SWDP21 of the South Worcestershire Development Plan (SWDP), requiring development to be of a high quality design, integrating effectively with its surroundings, and in keeping with the architectural characteristics of the original property and its surroundings.

Living conditions

10. Although not specifically mentioned in the reasons for refusal the property most at risk from any ill-effects of the development is next-door, No 10. This has two sets of windows at ground floor level nearest to the proposed extension, one facing towards the rear garden and the other towards the appeal property.
11. The proposed ground floor extension would have little or no effect on the residents of No 10, in view of the fence that separates their respective curtilages. However, the upward extension would bring a vertical wall at first floor level relatively close to the windows concerned. I have not been provided with calculations or illustrative material in relation to the 45⁰ degree 'rule' mentioned in the representations, but it seems to me judging from what I saw, that the development would inevitably reduce the level of daylight and sunlight entering those windows of concern. Additionally, the extension combined with the large box dormer sitting above it would be perceived as an oppressive and overbearing structure when viewed from next door.
12. Taking all these factors into account, the proposal could rightly be considered as an unneighbourly development resulting in harmful consequences to the immediately neighbouring residents. Thus the development would conflict with those provisions of SWDP policy SWDP21 designed to protect neighbouring amenity.

Other matters

13. I have taken account of all other matters raised in the representations including the appellant's point that no neighbour raised an objection to the proposal. I do not consider this to be decisive since the development would endure for a substantial period of time and, as I have found, is unacceptable from a planning standpoint.
14. No other matter raised is of such strength or significance as to outweigh those factors which led me to conclusions.

G Powys Jones

INSPECTOR