



Appeal Decision

Site visit made on 14 September 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/H1840/D/24/3347786

2 Chequers Lane, Wychbold, Droitwich WR9 7PH

- 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 Mr Ben Sankey against the decision of Wychavon District Council.
 - The application Ref is W/24/00815/HP.
 - The development proposed is described as 'double side extension for utility room/study/bathroom and bedroom extension'.
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Preliminary Matter

1. The Council described the proposal as a 'two storey front and side extension and porch'. This is a more accurate and comprehensive description than that set out above and it is therefore used in the decision that follows.

Decision

2. The appeal is allowed and planning permission is granted for two storey front and side extension and porch at 2 Chequers Lane, Wychbold, Droitwich WR9 7PH in accordance with the terms of the application, Ref W/24/00815/HP, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location & Block Plan (TQRQM24107145308152 & TQRQM24122121823761), PCR1, FD1, EL1, GF1, EE1, RS1 and FF1.

Main Issue

3. The main issue is the effect of the appeal proposal on the living conditions of the occupiers of the neighbouring property, No 3 Chequers Lane (No 3).

Reasons

4. The appeal property (No 2) and No 3 are of a similar design. Both have single-storey side projections set in around 1m from the shared boundary. Their first-floor flank elevations are set in significantly more. No 3 has three first-floor

windows on the elevation facing No 2, of which one is the sole window to a bedroom.

5. The side elevation of the proposed two-storey side extension would be approximately 1m from the shared boundary. To determine its impact on the bedroom window I have taken account of the approximately 4m distance between them, the location of the window within the elevation, the orientation of the two dwellings and the difference in ground level between them of around 500mm. Considering these factors alongside the Council's 25-degree code guidance, as set out in the South Worcestershire Design Guide Supplementary Planning Document (SPD), leads me to conclude that there would be no harmful loss of light to this bedroom and that the side extension would not result in overshadowing or have an overbearing effect.
6. Furthermore, the appeal evidence indicates that the Council granted planning permission for a similar type of development at No 8 Chequers Lane (No 8). This is now under construction. As I observed at the site visit, the relationship between this property and its neighbour at No 9 appears to be identical to that between Nos 2 and 3, including the number and location of side windows. In the absence of any evidence to the contrary, I find that the effect of the appeal proposal on the side bedroom window of No 3 would be similar to the effect of the development at No 8 on its neighbour. This adds weight to my conclusion that the appeal proposal is acceptable.

Other matters

7. The appellant raises concerns about the manner in which the Council determined the appeal planning application and inconsistencies with its decision relating to No 8. However, these are not matters under consideration in this appeal and would more appropriately be addressed by the Council's own internal procedures.

Conclusion

8. For the reasons set out above and having regard to all other matters raised, I conclude that there would be no harm to the living conditions of the occupiers of No 3 in respect of its first-floor bedroom window. The proposal therefore complies with Policy SWDP 21 of the South Worcestershire Development Plan 2016, which, in summary and of relevance to this appeal includes the requirement that development should provide an adequate level of privacy, outlook, sunlight and daylight, and should not be unduly overbearing. The proposal also accords with the similar provisions of the SPD and those within the National Planning Policy Framework.
9. Accordingly, the appeal is allowed. A condition is imposed requiring the use of matching external materials to protect visual amenity. I have included a condition identifying the approved drawings for the avoidance of doubt and in the interests of proper planning.

Elaine Benson

INSPECTOR