



Appeal Decision

Site visit made on 1 July 2025

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/D4635/D/25/3366337

1 Alcester Drive, Wolverhampton, WV13 3QW

- 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 Manprit Singh against the decision of the City of Wolverhampton Council.
 - The application Ref is 25/00316/FUL.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the living conditions of the occupiers of Number 3 Alcester Drive, with regards to outlook; and the effect of the proposed development on the living conditions of Numbers 47 and 49 Chiltern Drive, with regards to privacy.

Reasons

3. The appeal property is an extended two storey detached dwelling located at the corner of Alcester Drive and Moseley Road. The dwelling is set back from Alcester Road behind a dominant gated boundary feature and a parking area, has a parking and yard area to the side and has a small rear garden area dominated by outbuildings.
4. It is located in a residential area. Surrounding dwellings tend to comprise two storey semi-detached and terraced dwellings set back from the road behind gardens and/or parking areas and with modest gardens to the rear.
5. The appeal dwelling shares a side boundary with Number 3 Alcester Drive, a two-storey semi-detached dwelling. The juxtaposition of Nos 1 and 3 Alcester Drive is such that there is only a relatively small gap between their side elevations.
6. The rear elevation of the appeal dwelling faces directly towards the rear elevations of Numbers 47 and 49 Chiltern Drive. During my site visit, I noted that, due to the short length of rear gardens, there is only a relatively small distance between these facing rear elevations.
7. The appeal dwelling already has a two-storey rear extension to that side of the dwelling furthest from the boundary with No 3. The proposed development would

effectively result in a two-storey extension projecting across the whole of the width of the appeal dwelling.

8. This would result in the appeal dwelling projecting beyond the rear elevation of No 3 Alcester Drive in very close proximity and at two storey height. I find that this combination of projection, height and proximity would inevitably result in the proposed development appearing to “loom” above No 3 to an overbearing degree. As such it would unduly dominate the outlook from the rear of this neighbouring dwelling.
9. The proposal would extend the first floor towards Nos 47 and 49 Chiltern Drive. I find that the increased rear projection towards these neighbouring dwellings would significantly increase the potential for the direct overlooking of the rear of Nos 47 and 49 from the appeal property’s rear-facing first floor windows.
10. This would result in harm to the actual and perceived privacy of the occupiers of these neighbouring dwellings and due to the height of the proposed development, the harm arising would not be mitigated to a satisfactory degree by the presence of boundary fencing and vegetation.
11. Taking all of this into account, I find that the proposed development would harm the living conditions of the occupiers of Number 3 Alcester Drive, with regards to outlook and would harm the living conditions of Numbers 47 and 49 Chiltern Drive, with regards to privacy. This would be contrary to the National Planning Policy Framework; to Policy ENV3 of the Black Country Core Strategy (2011); and to Policies D7 and D8 of the Wolverhampton Unitary Development Plan (2006), which together amongst other things, seek to protect residential amenity.

Other Matters

12. In support of the proposal, the appellant states that Number 3 Alcester Drive is in his ownership. However, the planning permission applied for would run with the land and is not tied to the applicant or owner. I have found that the proposal would result in harm to residential amenity and this is not something that is changed or mitigated by the ownership of No 3.
13. The appellant refers to being open to applying obscure glazing and/or restricted openings to windows. However, the proposed windows would comprise the only windows to two long and narrow bedrooms and there is nothing before me to demonstrate that a requirement for these to be obscured and/or non-opening would result in an appropriate form of development that would itself provide for acceptable living accommodation.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR