



Appeal Decision

Site visit made on 5 June 2025 by Mr F Bradford BA (Hons)

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 1st August 2025

Appeal Ref: APP/G1630/D/25/3363926

3 Gwinnett Drive, Longford, Gloucester, GL2 9FT

- 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 Martin Hunnings against the decision of Tewkesbury Borough Council.
 - The application Ref is 24/00958/FUL.
 - The development proposed is a two storey rear extension with single storey side - minor alterations internally.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the proposed development's effect on the living conditions of the occupiers of 7 Longstone Avenue (No. 7) with regard to outlook, overlooking and loss of privacy.

Reasons for the Recommendation

4. The appeal dwelling is detached and the existing conditions mean that the rear of the property faces onto the rear gardens of some of the properties along Longstone Avenue. This includes No. 7, of which the appeal dwelling's rear boundary forms its side boundary.
5. The proposed development would introduce a part single, part two storey rear extension which would reduce the existing set back of the appeal dwelling from the boundary with No. 7.
6. Given that the three elements of the extension vary in their massing, in terms of either height, depth or both, the proposed development does not appear as a singular dominant bulk in close proximity to the boundary with No. 7. As such, though the proposed extension is closer to the boundary, by reason of its design the proposal would not have an overbearing effect on occupiers of No. 7. For this reason, I consider that the proposed development would be acceptable in terms of its effects on the outlook of the occupiers of No. 7 with particular regard to use of their garden.

7. Due to the urban layout, there is currently a degree of overlooking into the rear garden of No. 7 from the first-floor rear windows of the appeal dwelling. This is somewhat reduced through the cumulative effect of the boundary fence and the distance of the existing windows from the garden which mean that the angle of outlook results in these views being partially obscured. Therefore, if the occupiers of No. 7 occupy their garden close to the boundary with the appeal dwelling, they are either fully or partially obscured from view. Furthermore, whilst views into the habitable windows of No. 7 currently exist, these are through an acute angle rather than directly from the appeal dwelling.
8. The proposed development would mean that the angle of viewing from the rear first floor windows of the appeal dwelling would be changed and an additional portion of the garden of No. 7 would be exposed to further unobscured views. Furthermore, whilst the angle between the rear elevations of No. 7 and the appeal dwelling would remain acute, the decreased separation distance would mean that further views into the windows of No. 7 would be afforded. Consequently, the existing levels of actual and perceived privacy enjoyed by the occupiers of No.7, would be unacceptably harmed by the proposed development.
9. For these reasons, I find harm to the living conditions of the occupiers of No. 7 Longstone Avenue with regard to overlooking and loss of privacy. I subsequently find conflict with the local development plan with specific regard to policy SD14 (Health and Environmental Quality) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) which, among other things, aims to ensure new development does not cause unacceptable harm to the amenity of neighbouring occupants; and policy RES10 (Alteration and Extension of Existing Dwellings) of the Tewkesbury Borough Plan 2011 -2031 which, among other things, aims to ensure that extension and alteration to existing dwellings do not have an unacceptable impact on the amenity of neighbouring properties.
10. I acknowledge that no objections have been submitted in relation to the proposed development. However, the proposed development represents a permanent alteration to the appeal dwelling and for the reasons given there would also be harm in respect to future occupiers.

Other Matters

11. I sympathise with the motivation of the appellant to create additional living space for their growing family. Whilst some benefits may arise from the development, to include employment opportunities through the construction phase which would be temporary in nature, I attach only limited weight to the benefits of the scheme by reason of the scale of the development. Having given regard to the benefits of the proposed development, I find that they would not outweigh the harm identified above to which I attach significant weight.
12. I acknowledge the Appellant's frustration with the Council's communication and the way in which it handled the planning application. However, in this regard such matters do not impact on the planning merits of the proposal and consequently are not matters that are for my consideration in relation to this appeal.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Finlay Bradford

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR