



# Appeal Decision

Site visit made on 6 May 2008

by **Timothy Ball** BA BSc DipTP MRTPI

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

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**Decision date:**  
15 May 2008

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**Appeal Ref: APP/R1845/A/08/2066579**  
**72 Stourbridge Road, Kidderminster, DY10 2QB**

- 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 J Carter against the decision of Wyre Forest District Council.
- The application Ref 07/0392/FULL, dated 6 April 2007, was refused by notice dated 24 July 2007.
- The development proposed is the erection of 2no one bed apartments.

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## Decision

1. I dismiss the appeal.

## Main issues

2. The main issues are:
  - (i) the effect of the development on the living conditions of the adjoining occupiers in relation to outlook, daylight and privacy; and
  - (ii) the effect of the development on the streetscene of Springfield Lane.

## Reasons

3. The appeal site is in the garden of a corner property which has been extended and converted into apartments. The surrounding area is mainly residential with a variety of property styles, though properties in the immediate vicinity are predominantly semi-detached interwar houses.
4. The proposal would add a two-storey extension to an existing single-storey extension. The new building would be within 1m of the boundaries with the adjoining properties at 73 Stourbridge Road and 12 Springfield Lane. The rear garden of 73 Stourbridge Road is significantly higher than the appeal site and no windows are proposed in the elevation which faces it. Nevertheless, in view of its size and proximity the proposal would, in my opinion, have an overbearing presence on the garden and a rear extension of 73.
5. Two windows in the upper floor of the southern elevation would face upper floor windows in the rear of 72 and 73 Stourbridge Road, though somewhat obliquely in the latter case. One proposed window, lighting stairs, is shown as being obscure glazed. The other, however, is in a proposed lounge. I consider that this would give rise to problems of overlooking and loss of privacy. The proposal would also lead to loss of light in a small side window close to the boundary at 12 Springfield Lane.

6. I consider that these relationships would conflict with design objectives sought by Policies D.3 and D.17 of the Wyre Forest District Local Plan. On the first main issue I conclude that the development would have a harmful effect on the living conditions of the adjoining occupiers in relation to outlook, daylight and privacy.
7. In appearance the building would complement others to the north fronting onto Springfield Lane. From Springfield Lane the existing single storey element which separates the site from the two-storey element of 72 is largely hidden by changes in levels and fencing which would remain. Although the Council is concerned that the proposal would not appear subservient to the existing building I consider that, given the separation between the main building and the site, it would be seen more in the context of adjoining houses to the north. On the second main issue I conclude that the development would not harm the streetscene of Springfield Lane.
8. Notwithstanding my conclusions on the effect of the development on the streetscene, for the reasons given above I conclude that the appeal should be dismissed.

*Timothy Ball*

INSPECTOR