



Appeal Decision

Site visit made on 21 July 2025

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2025.

Appeal Ref: APP/L3245/D/25/3367642

Bank Crest, Tenbury Road, Clee Hill, Shropshire, SY8 3NE

- 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 Liam Whitbread against the decision of Shropshire Council.
 - The application Ref is 25/00969/FUL.
 - The development proposed is described as “the removal of an existing conservatory and erection of a ground and first floor extension to the rear of existing dwelling. Extension will provide an additional bedroom at first floor level and at ground floor level a dining area, utility and WC.”
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are:
 - the effect of the proposal on the living conditions of the occupants of the neighbouring houses, with particular regard to outlook; and
 - the effect of the proposal on the living conditions of the occupants of Westerley, with particular regard to privacy.

Reasons

Outlook

3. The appeal property is a two-storey, semi-detached house set on a moderate sized plot. It has a long rear garden, which slopes upwards away from the house and contains a variety of greenery, as does its direct neighbours. The width of the gardens may be modest in comparison to their length. However, in real terms they did not appear to me to be overly narrow.
4. The boundary treatment between the appeal property and its unattached neighbour, Westerley, located close to the houses where the proposed extension would be positioned, currently comprises sections of reasonably low close board and wire mesh fence. At 2-storeys high and 5 metres deep, the proposed extension would be readily apparent above this existing boundary treatment.
5. Notwithstanding this, the ground floor windows in the rear elevation of Westerley are positioned away from the appeal property on the other side of the house. Moreover, the furthest window fronts a single storey outbuilding. As such, views of the proposed extension from these windows would be limited.

6. Views of the proposed extension from the ground floor windows in the rear elevation of the appeal property's attached neighbour, Holme Lea, would also be limited. This is due to the intervening single storey outbuilding positioned close to the rear of the houses, and the tall, albeit reasonably sparse, boundary hedge.
7. Although the proposed extension would be obvious from first floor rear windows of the neighbouring properties, these windows afford longer and wider views. Therefore, while the outlook from these windows would change, the difference in the overall outlook would be more limited and would not be to a degree that it would harm the living conditions of the occupants.
8. Nonetheless, despite the context of the long, green rear gardens and the proposed extension being set back from the shared boundaries, it would be a large and noticeable structure, far larger than the existing conservatory. From my observations on site, it would increase the sense of enclosure to the section of Westerley's garden closest to the house and would dominate this space. This would likely be oppressive and overbearing on the occupants of Westerley and would result in moderate harm to their living conditions in this regard.
9. The section of Holme Lea's garden closest to the house and adjacent to the proposed extension is less open than that of Westerley's, due to the outbuilding and boundary hedge. This would moderate the effect of the proposed extension to some degree. However, given the size of the proposed extension, some modest harm to the living conditions of the occupants of Holme Lea would likely arise.
10. In conclusion, the proposed extension would not result in an unacceptable impact on the outlook from the rear windows of the neighbouring properties. Nevertheless, by virtue of its height and depth, it would have a significant effect on the outlook from the rear gardens of the neighbouring properties. This would result in moderate harm to the living conditions of the occupants of Westerley and modest harm to the living conditions of the occupants of Holme Lea in this regard.
11. The appellant has proposed a lighter, more natural rendered finish to soften the appearance of the proposed extension. However, this would not fully address the harm arising from its height and depth.
12. Accordingly, the proposal would conflict with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) (Core Strategy) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (2015) (SAMDev Plan). These seek to ensure that all development safeguards and contributes to existing residential amenity.

Privacy

13. The principal rear elevation of the appeal property projects a short distance past the rear elevation of the neighbouring house, Westerley.
14. The proposal includes a first-floor window within the rear part of the existing flank wall, which projects past the rear elevation of Westerley. I saw on my visit that this proposed window, which would serve Bedroom 4, would front Westerley and afford direct views of the section of its rear garden adjacent to the rear of the house.
15. I appreciate that, at present, both properties already have windows that offer mutual views into each other's gardens and homes, including an existing first floor window in the flank elevation fronting Westerley. Nonetheless, the existing window

serves the hallway and stairs and is positioned closer to the front of the property where direct views would be of the flank wall of the house rather than its rear garden. The proposed first-floor window would introduce a new relationship of direct overlooking to a section of the rear garden, which is located adjacent to the rear of the house and therefore is likely to be used frequently by the occupants. This would compromise their privacy to an unacceptable degree.

16. To address this, the appellant has proposed to install a frosted glazed window. However, while this may help address the loss of privacy, I am of a similar view to the Council, that it would likely have an unacceptable impact on the outlook from this bedroom, which may subsequently harm the living conditions of the occupants of the appeal property in this regard.
17. For the reasons above, the proposal would result in moderate harm to the living conditions of the occupants of Westerley with regard to privacy. Accordingly, the proposed extension would conflict with Policy C6 of the Core Strategy and Policy MD2 of the SAMDev Plan in this regard.

Other Matters

18. I note that the neighbour currently occupying Westerley supports the proposal and considers that the proposed extension would increase privacy and would not be overbearing. Nonetheless, I must consider the effect of the proposal on all future occupants and not just the current occupiers of Westerley.
19. The appellant refers to a recent housing development at Springfield Park, which is not far from the appeal property. He considers that breaches in the planning permission for this development has led to substantial and ongoing issues regarding the living conditions of neighbouring residents. Whether or not this is the case, this would not justify allowing another development that would result in harm to the living conditions of neighbouring occupants.

Conclusion

20. Overall, I have found that the proposal would result in moderate harm to the living conditions of the occupants of Westerley with regards to privacy and outlook, and modest harm to the living conditions of the occupants of Holme Lea with regards to outlook. It would therefore conflict with the development plan as a whole.
21. The modest benefits of the proposed extension associated with its construction and the improved space within the house do not outweigh this harm or justify allowing the appeal.
22. Having had regard to all relevant material considerations, it has not been demonstrated that there are any of sufficient weight to indicate that a decision should be taken otherwise than in accordance with the development plan. The appeal is therefore dismissed.

Hannah Guest INSPECTOR