
Appeal Decision

Site visit made on 12 March 2019

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2019

Appeal Ref: APP/D1835/D/18/3218470

1 Hetherington Rise, Worcester WR4 0QG

- 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 Matthew Hall against the decision of Worcester City Council.
 - The application Ref P18Q0292, dated 29 June 2018, was refused by notice dated 23 November 2018.
 - The development proposed is a first floor extension above the existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area, and the living conditions of the occupants of 3 Hetherington Rise and 10 Collings Avenue with respect to outlook and light.

Reasons

Character and Appearance

3. Hetherington Rise comprises predominantly modern detached two-storey dwellings with open frontages incorporating landscaping. Whilst there is some variety in terms of the house type and detailing, there is general consistency in the use of materials and massing of built form. 1 Hetherington Rise, together with the adjacent property at 3 Hetherington Rise, present a mirrored pair of a somewhat unusual house type within the street scene. This is largely due to the siting of a double garage forward of the principal two storey elevation of the house resulting in the main body of the house being set back further from the road than is otherwise generally the case.
4. The proposal would introduce a first floor extension above the single storey projection and would incorporate a gable end. This emphasises the considerable length of the projection, and the increased height and massing in this location would compete with the original principal elevation. Notwithstanding that the roof ridge would be slightly reduced, with the gable end set back from the front elevation of the garage, it would not appear as a subordinate addition to the host dwelling because of the siting of the extension forward of the original two storey elevation. The proximity to the road would result in a particularly conspicuous addition that would not be surmounted by the use of similar materials and detailing. In addition, the proposal would lose

the symmetrical balance with No.3 that currently positively contributes to the street scene.

5. My attention has been drawn to the garages of dwellings either side of the entrance to Pinkus Close. Neither example displays a two storey projection over the garage building of the scale and height proposed in this case, and neither are positioned to form part of a mirrored pair of dwellings. Accordingly, there are material differences with the appeal proposal such that these examples attract limited weight.
6. I have had regard to the appellant's view that the proposal would enhance the appearance of the existing dwelling by removing a somewhat confused arrangement of roof heights and designs. I accept that the current single storey projection is somewhat awkward, but its impact is reduced due to its limited scale and symmetry with No.3. For the reasons outlined above the appeal proposal would, in my view, result in a protruding, asymmetrical addition that would have a negative and pronounced impact on the street scene.
7. Accordingly, I find that the proposed length, height and prominence of the extension would cause harm to the character and appearance of the area. Therefore, it would be contrary to policy SWDP21 of the South Worcestershire Development Plan, 2016 (SWDP) that includes, amongst other matters, design criteria for new development to achieve a high quality of design that respects and enhances the local context.

Living Conditions

8. The Council consider that the extension would cause harm to the living conditions of the occupants of the properties either side of the appeal site due to a reduction in light and quality of their outlook. However, the proposed extension would broadly align with the siting of 10 Collings Avenue located to the east of the appeal site. The windows to the principal rooms of No.10 are situated primarily in the front and rear elevations, with the property orientated slightly towards the north-east away from the appeal proposal. As such, although there would be some reduction in light to the first floor bathroom window and door in the side elevation, this is unlikely to be materially different from the present arrangement, and would not have a significant impact on the living conditions of the occupants in terms of loss of light or outlook.
9. I have noted the concerns regarding privacy arising from the relationship of the proposed extension to the first floor bathroom window in the side elevation of No.10. However, I note that this was not a matter that the Council included in the refusal reason. Given the combination of existing obscure glazing in the first floor side window and the proposed roof lights having their lower cill at least 2 metres from finished floor level, I am satisfied that the proposal would not result in a material reduction in privacy.
10. Residents in 3 Hetherington Rise to the west of the appeal site would be able to view the extension from the windows in their front elevation, which would appear as a blank wall at first floor level. As such, this would diminish their outlook as compared to the present arrangement. However, the combination of the distance separating the appeal proposal from No.3 and its slightly higher level, is such that it would prevent the impact from materially harming the living conditions of the occupants.

11. I note that the Council consider the proposal would be generally contrary to the guidance in the South Worcestershire Design Guide Supplementary Planning Document, but as they have not identified which specific aspect of the guidance they consider the proposal conflicts with, or provided a copy of it, I have given it limited weight.
12. Accordingly, I do not consider that the appeal proposal would result in material harm to the living conditions of the occupants of either 10 Collings Avenue or 3 Hetherington Rise in terms of the impact on their outlook and light. Therefore, I do not find that the proposal would conflict with policy SWDP21 of the SWDP in relation to its criterion B(iv) to ensure that development provides, amongst other matters, an adequate level of outlook and light for neighbouring occupants.

Other Matters

13. I have had regard to the benefits that the appeal proposal would provide in terms of more flexible family accommodation for the appellant and future occupants, as well as the broader economic and environmental benefits outlined. Nevertheless, these matters are insufficient to overcome the harm I have identified in relation to the character and appearance of the area.

Conclusion

14. Although I find that the appeal proposal would not adversely affect the living conditions of neighbouring occupants, I have found that there would be unacceptable harm caused to the character and appearance of the area. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector