



Appeal Decision

Site visit made on 16 February 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 MARCH 2022

Appeal Ref: APP/D1835/D/21/3288485

6 Woodstock Road, Worcester WR2 5NE

- 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 & Mrs Hutchison against the decision of Worcester City Council.
 - The application Ref 21/00182/HP, dated 24 February 2021, was refused by notice dated 18 November 2021.
 - The development proposed is for a two storey side and single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Appellant is concerned that the Council did not state clearly and precisely the full reasons for the refusal relevant to the decision. I have considered the Council's decision notice in conjunction with the Council's delegated decision report (the report). Policy SWDP 21 of the South Worcestershire Development Plan 2016 (the Plan) is introduced in the report. This policy addresses the necessity to achieve a high standard of design. The reader is also directed to the South Worcestershire Design Guide Supplementary Planning Document Overarching Design Principles 2018 (the SPD) which expands on the policies within the development plan. SPDs are a material consideration in decision-making, and I have therefore considered the appeal on this basis.
3. Appeal submissions from both the Appellant and the Council referred to several revisions to drawing 20-520-2. The Appellant and the Council have both confirmed that the Council's decision is based on drawing number 20-520-2 P6. I have therefore determined the appeal on this basis.

Main Issues

4. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

5. Woodstock Road comprises primarily two storey semi-detached residential dwellings of similar design and age. Buildings are generally well spaced from each other at first floor height and these gaps between dwellings are important as this contributes positively to the character and appearance of the area.
6. 6 Woodstock Road forms one half of a semi-detached pair. It follows the prevailing character identified above and has not been extended at first floor to

the side. The existing garage, however, at ground floor does run along the shared boundary. The appeal proposal is for a two-storey side and a single storey rear extension. The two-storey extension would close the gap at first floor and has been designed with a lower ridge height than the existing dwelling with the first floor also set behind the existing first floor.

7. Paragraph 8.3.11 of the SPD states that to protect the character of areas, side extensions should be at least 1 metre off the shared boundary at first floor level. In this case and notwithstanding the existing ground floor garage's presence on the shared boundary, the drawings indicate that the extension would be 450mm off the boundary at first floor and therefore in conflict with the SPD. While the proposal has been designed with a lower ridge line and set back at first floor level from the ground floor, the erosion of the gap would be harmful to the spacious character of the area. This would not achieve a high standard of design which Policy SWDP 21 of the Plan seeks to achieve.
8. Additionally, paragraph 8.3.11 of the SPD seeks to prevent a terracing effect by retaining a visual gap between adjacent dwellings at first floor. I note that the adjacent neighbour at 8 Woodstock Road has not extended above their garage and a terracing effect between the built form would not occur at first floor. This does not outweigh the harm to the spacious character of the area I have identified above.
9. My attention is drawn to 27, 39, 56 and 58 Woodstock Road which have larger two storey side extensions. However, I have not been provided with any analysis of the Council's decisions to understand what reasoning the Council may have used to approve these schemes or whether these pre or post date the adoption of the SPD. These examples are located some distance from the appeal site and are visually discordant with the existing spacious character of Woodstock Road. The existence of harm does not justify further discordant development. Consequently, this does not outweigh the harm I have identified above.
10. The appellant also refers to Figure 4 of the SPD and makes reference to a previous advice note from 1999. The Council have not referred to this advice note as part of their decision and the Council has adopted a much more recent document, the SPD, as referred to above. While Figure 4 of the SPD illustrates what may be acceptable, this is not determinative in isolation. I have also had regard to paragraph 8.3.11 of the SPD in coming to my decision.
11. I have been provided with examples of other side extensions in neighbouring streets which have been recently approved by the Council. However, I have not been provided with any analysis of the Council's decisions to understand what reasoning the Council may have used to approve these schemes. Notwithstanding that, these are in other streets and are not identical to the appeal proposal or its surrounding area. This has limited bearing on my findings.
12. The appellant highlights about the time taken to determine the planning application. While I recognise the appellant's concerns, this does not change my findings on the main issues, and I have determined the appeal on its merits.
13. I conclude the proposed development would be harmful to the character and appearance of the area. Accordingly, I find conflict with the relevant provisions

of Policy SWDP 21 of the Plan and the SPD, both of which seek to ensure a high standard of design which does not harm the character or appearance of the area.

Conclusion

14. For the above reasons, having regard to the development plan as a whole and all other relevant material considerations, the appeal is dismissed.

N Praine

INSPECTOR