



Appeal Decision

Site visit made on 3 June 2024

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2024

Appeal Ref: APP/D1835/W/24/3337040

45 Westminster Road, Worcester, Worcestershire, WR5 1PB

- 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 Peter Styles against the decision of Worcester City Council.
 - The application Ref 23/00662/FUL, dated 2 August 2023, was refused by notice dated 20 December 2023.
 - The development proposed is construction of a detached dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Peter Styles against Worcester City Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the surrounding area.

Reasons

4. The appeal site relates to a 2 storey semi-detached house on a corner at the junction of Westminster Road and Canterbury Road. The house and its adjoining neighbour, 101 Canterbury Road, are set behind substantial front and side gardens with low metal mesh and railing fences along the pavement edge, allowing views across the lawned gardens. The pair of houses are angled with their frontages facing the corner of the junction, rather than parallel to the road as is the case with neighbouring houses.
5. There is a significant gap between the corner properties and neighbouring houses because of their side gardens and difference in orientation. This arrangement is reflected on the opposite side of the road where 46 Westminster Road and the adjoining 99 Canterbury Road are similarly angled and have substantial gardens and gaps with neighbouring houses and at other locations nearby, including the junctions where Norwich Road and Liverpool Road meet Canterbury Road. This provides an element of symmetry and openness which contributes to the spacious and green character that marks the entrance to Westminster Road, as noted by the Inspector in a previous appeal at the site¹,

¹ Appeal Ref: APP/D1835/W/15/3129140

and the other roads described above. Along with the similarly designed semi-detached and terraced housing, these large open corner plots contribute significantly to the street scene.

6. The proposed 2 storey hipped roof detached dwelling would align with the house opposite and there would be a gap between it and the appeal property and No 43, the neighbouring house on the other side. Nonetheless, as it would be built on the side garden at the appeal property, it would substantially fill the gap between it and No 43 and erode the sense of openness that I have identified as important to the street scene. In so doing it would interrupt the symmetry shared with the corner properties across the road and appear at odds with other similar corner plots that I have described.
7. The proposed hipped roof and front door canopy would reflect elements of house designs in the surrounding area. However, a detached house would appear out of character with the surrounding semi-detached and terraced housing. Overall, I conclude that the proposed development would harm the character and appearance of the area and thus conflict with Policy SWDP 21 of the South Worcestershire Development Plan (2016) (SWDP) and the South Worcestershire Design Guide Supplementary Planning Document (2018) which require development to integrate with its surroundings and respect and enhance local character.

Other Matters

8. The appellant has suggested that the Council delayed determining the application to avoid having to apply the test set out in paragraph 11 d) ii. of the National Planning Policy Framework (the Framework). At the time the application was submitted the threshold for triggering paragraph 11 d) was where a Council could not demonstrate a 5 year minimum housing land supply. When the Framework was updated, around the time the application was determined, that threshold was changed to a 4 year minimum supply for Council's with an emerging plan submitted for examination.
9. I appreciate the frustration that delays can cause, but also note that extensions to the determination date were agreed by the appellant's agent. In anycase, procedural issues such as the time taken to determine an application must remain a matter between the main parties. I have to determine the appeal on the basis of current policy. The Council submitted its plan for examination in September 2023 and has provided evidence that it can currently meet the 4 year minimum requirement, which the appellant has not disputed. As such, paragraph 11 d) is not engaged in this appeal.
10. The appellant has drawn my attention to a development approved by the Council on the corner of Glenthorne Avenue. However, it is clear from the aerial photograph of the site provided by the Council that it is not on a road junction and the housing opposite is not similar, as such the example given is not directly comparable with the appeal proposal.
11. I have had regard to all other matters raised in support of the proposal including the lack of objections and the contribution the proposed development would make to meeting local housing needs and to the local economy during construction. However, they do not outweigh the harm that I have identified.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR