
Appeal Decision

Site visit made on 17 January 2017

by Louise Nurser BA (Hons) Dip UP MRTPI

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

Decision date: 31 January 2017

Appeal Ref: APP/T2405/D/16/3162416

Washington House, Forest Drive, Kirby Muxloe, Leicestershire LE9 2EA

- 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 Rob Smith against the decision of Blaby District Council.
 - The application Ref 16/0962/HH, dated 7 July 2016, was refused by notice dated 1 September 2016.
 - The development proposed is the extension of an existing garage to form a home office above the garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether or not the proposed development would preserve or enhance the character and appearance of the Kirby Fields Conservation Area (KFCA).

Reasons

3. I have not been provided with a Conservation Area Appraisal. However, following my site visit, I consider that a significant aspect of the character of the wider Conservation Area derives from its spacious nature with substantial houses, together with ancillary buildings, such as garages and outbuildings, located within large mature gardens set back off quiet residential roads. Within this framework, some more modern and more modest housing has been built of a variety of sizes and designs. However, the overwhelming characteristic is of an established, mature, treed, spacious residential area.
 4. Washington House, which appears to have benefited from significant investment, is an imposing substantial property. It sits on a large plot on the corner of Forest Drive and Linden Lane. However, the existing flat roof double garage lies between, and close to the renovated host property and the boundary with the neighbouring property, and is directly visible from Forest Drive. The appeal proposal would increase the height of the garage through the addition of an additional storey. As a consequence of this, the already highly visible garage of an unexceptional suburban design would appear even more prominent in the streetscape. Indeed, the ridge of the proposed garage's roof would be higher than the eaves of the adjacent host property.
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5. Therefore, given its proximity to Washington House, the height and bulk of the development would appear out of scale. This would then result in awkward and cramped development which would be out of character with the spacious, open nature of the wider KCFA and would therefore fail to preserve or enhance its character or appearance and would be contrary to policies CS2 and CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and saved Policy R1 (ii) and (v) of the Blaby District Local Plan (1999).
6. As such, I am of the view that the harm caused by the proposal would result in less than substantial harm to the character and appearance of the KCFA.
7. I understand that the appellant wishes to have the option to be able to work from home, and if necessary, to host meetings without the need to access the main house. However, I have not been provided with any substantive evidence as to why it would not be possible to find space within the house. Moreover, in determining this appeal I have been mindful of Paragraph 134 of the Framework, that where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.
8. Whilst there are clearly private benefits to the proposed development there is nothing before me to suggest that it would provide a public benefit, which would outweigh the harm to the KCFA. Therefore, I conclude that the proposed development would be contrary to both the Framework and the development plan as a whole.

Conclusion

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

L. Nurser

INSPECTOR