
Appeal Decision

Site visit made on 30 May 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 16th June 2017

Appeal Ref: APP/F2415/D/17/3172023

52 Hollies Way, Thurnby, Leicestershire LE7 9RJ

- 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 S Singh against the decision of Harborough District Council.
 - The application Ref 16/01729/FUL, dated 25 October 2016, was refused by notice dated 21 December 2016.
 - The development proposed is two storey side extension and garage conversion.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that the plans were amended during the course of the Council determining the planning application and that the Council's decision notice relates to the most up to date plans (ref: 2686-02C). I have determined the appeal on the basis of these plans.

Main Issue

3. The main issue is the impact on the living conditions of 50 Hollies Way with specific reference to outlook and the loss of light.

Reasons

4. 52 Hollies Way is a detached 2 storey dwelling set back from the footpath in a staggered building line in a residential area. The property stands back from No 50. No 50 is located close to the boundary with No 52.
5. The proposal is for the conversion of the garage to a habitable room with a first floor extension above it and erection of a 2 storey extension to the rear of the property. Other examples of what appear from the street to be similar extensions over garages can be found in the vicinity.
6. The 2 storey extension to the rear of No 52 would be the full depth of the dwelling. The extension would be close to the boundary with No 50 and project a significant distance beyond its rear elevation. Given the staggered building line, the proximity of both properties to the shared side boundary and orientation of Nos 50 and 52, this would breach the 45 degree line referred to in the Council's Supplementary Planning Guidance Note 5. In this case it is clear that an extension of the scale proposed would result in a harmful reduction in light to windows in the rear elevation of No 50 and overshadow

part of the garden area closest to the house. In addition, given its overall scale and mass and proximity to the boundary it would also appear overbearing when viewed from the habitable rooms at the rear of No 50.

7. I note that the plans were amended to change the gable roof to a hip roof. Whilst this is a positive change to the appearance of the proposal it would not overcome the harm caused to the living conditions of the residents of 50 Hollies Way.
8. The proposal does not therefore accord with policy CS11 of Harborough District Core Strategy 2006-2028 which requires development to be well planned to ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

Conclusion

9. For the reasons outlined above the appeal is dismissed.

K Ford

INSPECTOR