
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/T2405/D/17/3172393

2 Thornborough Close, Narborough, Leicestershire LE19 3WA

- 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 Richard Key against the decision of Blaby District Council.
 - The application Ref 16/1180/HH, dated 23 August 2016, was refused by notice dated 7 October 2016.
 - The development proposed is first floor extension over garage to front of property.
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Decision

1. The appeal is dismissed.

Procedural matter

2. I note that while the Council's decision notice did not allege harm to the living conditions of 9 Hardwicke Road, this was cited as a reason for refusal in the officer's report and the appellant has addressed this matter in his grounds of appeal. Therefore, this matter forms part of my main issues in dealing with this appeal.

Main Issues

3. The main issues are:
 - the impact on the character and appearance of Thornborough Close; and
 - the effect on living conditions for 4 Thornborough Close in terms of outlook and light and the privacy of residents of 9 Hardwicke Road.

Reasons

Character and Appearance

4. The appeal site is a 2 storey detached house on the corner of Thornborough Close and Hardwicke Road. Thornborough Close is on a sloping site leading downhill from the junction with Hardwicke Road. Number 2 is the first property on the right hand side as you enter the Close. The house is set back from the road with a garage in front and is linked to the property by a porch. The arrangement differs from the immediate neighbours in Thornborough Close where garages are generally to the side, but it is similar to other properties in Hardwicke Road. The proposal is for a first floor extension over the garage and porch with an extension to the porch at ground level.

5. The garage is positioned in a prominent location by virtue of it being a corner plot and also because of its close proximity to the road. Given the location, the proposal would create an imposing form of development of a scale that would be dominant in the street scene when entering Thornborough Close. It would create a more enclosed feel to the entrance to the Close when considered in conjunction with the side elevation of 9 Hardwicke Road and its garden wall which sit opposite 2 Thornborough Close.
6. The proposal would also be dominant when viewed from within Thornborough Close towards Hardwicke Road given that the road slopes downwards as you travel further into the Close. The existing garage is visible as far back as number 10 before turning the corner. Whilst the white render of the existing garage softens the impact on the street scene the use of similar materials would not be sufficient to remove the harm of a 2 storey structure in this location.
7. I am consequently of the view that the proposal would be contrary to policy CS2 of the *Blaby District Local Plan (Core Strategy) Development Plan Document* (Core Strategy) which requires design to be appropriate to its context and saved policy R1 of the *Blaby District Local Plan* (Local Plan) which does not support development that would be out of character and appearance of the area, overbearing and be unsatisfactory in appearance.

Living Conditions

8. The proposal would increase the height of the gable wall adjacent to 4 Thornborough Close. This would appear dominant and imposing when viewed from number 4 and creates an overbearing outlook for the residents of this property as a result of the orientation, resultant mass and proximity to No 4.
9. Notwithstanding this there is no substantive evidence on whether the scale of the proposal would materially affect light to 4 Thornborough Close. Whether the notional 45 degree rule would be breached or not the overall proximity of the proposed extension to the front facing windows, combined with the open aspect to the other side of 4 Thornborough Close leads me to take the view that the proposal would not materially affect light to number 4.
10. Similarly, whilst the first floor extension of the proposal contains a window facing towards the garden of 9 Hardwicke Road I do not consider there to be any loss of privacy to this property given the distance of separation between the dwellings.
11. Whilst the proposal would not cause harm to the privacy of 9 Hardwicke Road or result in a material loss of light to 4 Thornborough Close the prevailing matter is the impact of the proposed extension on the outlook of 4 Thornborough Close to which there would be harm. As such, the proposal would be contrary to policy CS2 of the Core Strategy which requires development to contribute to a better quality of life for the local community and policy R1 of the saved Local Plan which prevents development that would be significantly detrimental to nearby uses in terms of an overbearing effect.

Conclusion

12. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

K Ford

INSPECTOR