
Appeal Decision

Site visit made on 26 June 2017

by G D Jones BSc(Hons) DipTP DMS MRTPI

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

Decision date: 30 June 2017

Appeal Ref: APP/G2435/W/17/3171724

9 Grange Close, Ashby de la Zouch LE65 2PQ

- 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 Nitesh Patel against the decision of North West Leicestershire District Council.
 - The application Ref 17/00034/FUL, dated 16 January 2017, was refused by notice dated 7 March 2017.
 - The development proposed is the removal of the existing side garage addition; erection of new detached building of self-contained flats.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect that the proposal would have on the character and appearance of the surrounding area.

Reasons

3. Grange Close is a mainly residential street. The buildings within it in the vicinity of the appeal site, and to some extent in the neighbouring Lodge Close, are principally two-storey semi-detached houses. The relatively consistent scale, design, alignment and spacing of these buildings combine to create a reasonably cohesive street scene. The spacing of the buildings includes the spaces around the road junctions, such as where Lodge Close and Grange Close meet.
4. The appeal site is located at a reasonably prominent corner at the junction of Lodge Close and Grange Close and is comprised of a semi-detached house and its garden. It is proposed to demolish an existing side garage to No 9 and to erect a new two-storey detached building to the side of the existing dwelling to form two flats.
5. There are other detached two-storey domestic properties elsewhere nearby, including 15 Grange Close, such that I see no issue with the principle of such development in this broad locality. The existing hedge/fence to the garden of No 9 also reduces the potential sense of openness at this street corner. However, notwithstanding the hedge, fence and other existing structures and planting in the vicinity, the street scene around this junction retains a reasonably strong sense of space.

6. Despite the proposed removal of hedge/fencing, the introduction of the appeal building - due to its siting and scale - would greatly reduce this sense of space. It would also result in very readily visible development extending markedly beyond the reasonably strong building line established by the two pairs of semi-detached houses immediately to the south of the appeal site. The reduced sense of space and pronounced breaching of this slightly staggered existing building line would result in a visually awkward, somewhat cramped form of development that would sit uncomfortably with and cause harm to the existing street scene.
7. For these reasons, therefore, the proposed development would harm the character and appearance of the surrounding area in conflict, in that respect, with Policies E4 and H7 of the North West Leicestershire Local Plan 2002 concerning design.

Other Matters

8. I note that the appeal proposal was the subject of pre-application discussions and that the pursuant planning application was recommended for approval. However, Members of the Council are under no obligation to follow officers' recommendations and, for the reasons outlined above, I have found that the appeal development would cause harm and conflict with the development plan. I also note the evidence in respect to other development in the area. While I have taken it into account in terms of its influence on the character and appearance of the area, I am mindful that all planning applications must be determined on their own merits and in any event I am not familiar with all of the planning circumstances associated with those other cases.
9. I acknowledge that the proposal would have no material implications for the living conditions of neighbouring residents, would make a small but valuable contribution to the delivery of housing, including for people with disabilities, and that the site is within the settlement boundary and in a location well served by existing facilities. However, these considerations along with the other matters that have been brought to my attention do not outweigh or otherwise alter my conclusions on the main issue.
10. I also note that a number of neighbouring occupiers have raised objections to the appeal proposal. However, the additional points made beyond the matters discussed above have not led me to a different overall decision.

Conclusion

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

G D Jones

INSPECTOR