



Appeal Decision

Site visit made on 16 September 2019 by G Sibley MPLAN MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 October 2019

Appeal Ref: APP/T2405/D/19/3230704

42 Bradgate Close, Narborough LE19 3EG

- 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 Jon Groves against the decision of Blaby District Council.
 - The application Ref: 18/1744/HH, dated 31 December 2018, was refused by notice dated 21 March 2019.
 - The development proposed is rear elevation two storey extension plus associated internal and external works.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The appellants submitted revised plans for the proposed extension (Drawing no. 0048-102-B) during the determination of the application but the Council determined the application based on the original plans (Drawing no. 0048-102-A). The appellants have requested that revision A of the plans should be superseded by revision B. The plans were submitted to the Council several weeks prior to the determination of the application and they, alongside third parties, would have had an opportunity to consider these plans. As a result, no parties would be prejudiced if the revised plans were considered as part of this appeal. I will proceed on this basis.

Main Issues

4. These are: 1) The effect of the proposed development on the character and appearance of the host dwelling and the street scene; 2) the impact the proposed development would have on the living conditions with respect to privacy for the occupiers of no. 40 Bradgate Close; and 3) the impact of the proposed development on the safe and efficient operation of the highway network in vicinity of the appeal site.

Reasons for the Recommendation - *First main issue*

5. The detached three storey dwelling is located on a corner plot within a relatively new estate and has been rendered on the ground floor with exposed

brick on the first and second floor. Set back to the side of the dwelling is a single storey garage and a single off-street parking space. The neighbouring properties are also 3 storey dwellings that are similarly designed. There is a mix of two and three storey properties across the estate and the dwellings in the street scene typically have wide frontages but shallow depth and narrow front gardens.

6. The proposal includes a two-storey rear extension which would extend the depth of the dwelling by around 3 metres into the rear garden. The ground floor of the extension would be rendered to match the host dwelling and the first floor would be exposed brick. The use of dormer windows is common in the host dwelling and the street scene and their use here would complement the appearance of the host dwelling and the street scene.
7. The proposed development would be around half the depth of the host dwelling and would consequently increase the depth of the house by a third of its current size. As a result, the dwelling would be considerably deeper than the surrounding properties. This would significantly change the appearance of the host dwelling as it currently retains its shallow depth, which is a common feature in the street scene. It is acknowledged that the shallow pitch of the roof is required due to the depth of the extension. Nevertheless, the first floor roofscape would not match the pitch of the host dwelling or the garage and would appear out of context in the surrounding street scene. The effect of the development on the street scene would be more keenly felt due to the dwelling's prominent corner plot location. Consequently, the scale and size of the extension would not follow the pattern of development and would harm the character and appearance of the host dwelling and the street scene.
8. There is a variance in the size and scale of the dwellings in the wider estate, nevertheless the design of those dwellings would have been influenced by their location in the estate, as would have been the case with no. 42. Notwithstanding this, each case must be assessed on their own merits.
9. The size, scale and design of the proposed extension would harm the character and appearance of the host dwelling and the street scene. Therefore, the proposal would be contrary to Policy CS2 of The Blaby District Local Plan (Core Strategy) Development Plan Document (2013) (LPCS) and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document (2019) (LPD).

Second main issue

10. The dwelling is on a higher ground level than the properties to the rear. The first-floor windows would serve the lounge, home office and en-suite bathroom. Two of the windows would serve habitable rooms. The existing first floor windows partially overlook the front of the rear garden for no. 40, with the view of the rest of the garden blocked by the garage. The extension would extend further into the garden and as a result the occupiers of no. 42 would be able to view more of the garden. This would result in the loss of privacy for the occupiers of the dwelling, which would harm their living conditions. The reduced depth of the extension and removal of the Juliet balcony, as proposed in revision B of the plans, would not be sufficient to overcome this concern. Consequently, the proposed development would be contrary to Policy CS2 of the LPCS and DM1 of the LPD.

Third main issue

11. Whilst it is acknowledged that the appellants would use the room as an office the building would be a permanent structure and future occupiers of the dwelling could convert it to a bedroom. As a result, the property could be used as a 5 bedroom dwelling and would need to provide 3 off-street parking spaces as per the Leicestershire Highways Design Guide. Policy DM8 requires developments to adhere to the Design Guide and because the proposal would not be able to meet the parking requirements, the proposed development would be contrary to Policy DM8 of the LPD. Nevertheless, there are no parking restrictions on the street or the surrounding roads and as such there are opportunities to park on the street. The site is also within walking distance of bus and rail services, which would reduce reliance on private car use. When taking account of the availability of on-street parking together with the lightly trafficked nature of the area, the parking arrangements as proposed below the minimum requirements would not give rise to an increase in on street parking to the extent that it would be detrimental to the safe and efficient operation of the highway network.

Other Matters

12. With regard to the extension at no. 44, this was for a single storey rear conservatory that does not extend the full width of the house. As a result, it appears subservient to the host dwelling and due to the height of the building, it would likely not result in the loss of privacy for the occupiers of neighbouring properties.
13. The dwelling does retain its permitted development rights and the Inspector that determined the appeal for the wider estate considered that there would be adequate scope to extend the property, under the right circumstances. The Council have not said that the dwelling cannot be extended, rather the size and scale of the proposed development would have a detrimental visual effect on the character and appearance of the host dwelling and the street scene and would also harm the privacy of the occupiers of no. 40 and I agree with this conclusion.

Conclusion and Recommendation

14. Whilst the proposed development would not harm the safe and efficient operation of the highways network, the size and design of the extension would harm the character and appearance of the dwelling and the street scene and would result in the loss of privacy for the occupiers of no. 40, which would harm their living conditions. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR