



Appeal Decision

Site visit made on 24 February 2020 by Darren Ellis MPlan

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2020

Appeal Ref: APP/W2465/D/19/3241351

22 Marydene Drive, Leicester, LE5 6HE

- 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 Gosal against the decision of Leicester City Council.
 - The application Ref 20182784, dated 18 December 2018, was refused by notice dated 6 September 2019.
 - The development proposed is double storey side and rear extension, single storey rear extension, internal reconfiguration and single storey garage extension with new roof.
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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.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site comprises a two-storey detached dwelling located in Marydene Drive, Leicester. This section of the street is comprised of detached properties of varying designs, some of which have been previously extended. In Yelverton Avenue, the properties immediately behind the appeal site are bungalows while the rest of the properties in the street are predominantly two-storey detached dwellings. The proposed development would see the erection of a two-storey side and rear extension plus a single storey rear extension to the dwelling, and a single storey extension and new roof to the detached garage.
 5. Appendix G 'Building Line' of the Supplementary Planning Document – Residential Amenity (2008) (SPD) states that extensions beyond a consistent building line will not normally be permitted, although the greater the distance of the extension from the adjacent property on the side street the less the impact of the extension on the street scene.
 6. The properties along Marydene Drive and Yelverton Avenue are generally set on a distinct building line, with the properties set back from the street. The appeal property and No 24 Marydene Drive, which occupy the corner plots at
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- the junction between Marydene Drive and Yelverton Avenue, currently respect the building lines of both streets and as a result retain an open character to the front and side of the properties.
7. The proposed extension would respect the building line along Marydene Drive. However, the extension would project beyond the building line of Yelverton Avenue. While the distance between the proposed extension and the property to the rear, 37 Yelverton Avenue, would be approximately 19.6 metres, the extension would be a prominent addition and would have a considerable impact on the street scene as a result of the projection forwards of the building line of Yelverton Avenue.
 8. In addition, the proposed extension would encroach onto the open space adjacent to the junction and would be close to the footway and road. Whilst the proposal might involve a modest area of land, the space is significant in terms of its positive contribution to the spacious character and appearance of the area. The loss of this side garden area would reduce the feeling of openness and would unbalance the appearance of the junction with Yelverton Avenue. Furthermore, the proposed front gable would be significantly wider than existing front gables in the street and would increase the prominence of the proposed extension. For these reasons the proposal would detract from the character and appearance of the street scene.
 9. Planning permission was granted in 2018 for a single storey attached garage at No 24¹ which projects forwards of the building line of Yelverton Avenue. I have no details of the planning permission before me, however the single-storey garage is of a significantly smaller scale than the proposed two-storey extension. In addition, the garage is set towards the rear of the property and as such does not have a significant impact on the openness of the junction. For these reasons the garage at No 24 is not directly comparable to the appeal scheme.
 10. My attention has been drawn to extensions that have been built on corner plots nearby. Planning permission was granted for a two-storey side extension at 52 Ingarsby Drive², although construction of this extension had not yet begun at the time of my site visit. No details of the reasons behind the permission have been submitted, however the extension would not project significantly beyond the building line of the property to the rear. The property to the rear of No 52 is 59 Thurnview Road, which has an existing two-storey side extension that projects beyond the building line. However, given the large separations between these two properties and the properties to the front and rear of each, such projections beyond the building line would not have a significant impact on the street scene.
 11. The appellant refers to an extension at 77 Newhaven Road, however the building referred to and the photographs provided are of 75 Newhaven Road. I am also referred to a two-storey side extension at 1 Sedgebrook Road, at the junction with Downing Drive. The building lines along Newhaven Road and Downing Drive largely follow the curves in the road, and there are no significant projections beyond the building lines in these cases. Furthermore, these other extensions are a significant distance from the appeal site and are not part of the street scene at the site. Moreover, no details of any planning

¹ Planning application ref 20182064

² Planning application ref 20191419

permissions for the extensions at 59 Thurnview Road, 75 Newhaven Road and 1 Sedgebrook Road have been submitted, so I cannot be certain that the policy context is the same as for the appeal scheme. In any case, this appeal has been determined on its own merits.

12. For the reasons above, the proposal would conflict with Policy CS3 of the Leicester City Core Strategy (2014) and Policy PS10 of the City of Leicester Local Plan – Saved Policies Version (2006). These policies require, amongst other things, that development contributes positively to the built environment and to the character and appearance of the area. The proposal is also contrary to the guidance in Appendix G ‘Building Line’ of the SPD.

Other matters

13. I acknowledge the concerns raised by the neighbour at 37 Yelverton Avenue regarding the effect of the proposal on their living conditions. I note that the Council raised no objections to the proposal on these grounds and from all I have seen I am satisfied that the extensions to the house would not have a significant impact on the living conditions of the neighbouring occupiers given the distance between the properties. However, I have not been provided with detailed drawings of the proposed garage extension and am unable to fully assess this element of the proposed development. Nevertheless, as I am recommending that the appeal is dismissed for other reasons this matter has not been determinative.
14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

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 the appeal is dismissed.

S Ashworth

INSPECTOR