



Appeal Decision

Site visit made on 23 March 2020 by C McDonagh BA (Hons), MA

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2020

Appeal Ref: APP/T2405/W/19/3243684

2 Carlton Avenue, Narborough, Leicester LE19 2DE

- 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 Sam Ouissa against the decision of Blaby District Council.
 - The application Ref 19/1320/FUL, dated 27 September 2019, was refused by notice dated 11 December 2019.
 - The development proposed is described as "Erection of new detached 2 bed dwelling on domestic land adjacent to dwelling house. Re submission of refused application 19/0570/FUL."
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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.

Preliminary Matter

3. The appellant considers Policies SA1 and SA2 of the Blaby District Local Plan (Delivery) Development Plan Document are unclear as to why the appeal site could not be used for residential development. However, while the site may not be allocated specifically for housing through these policies, I note the Council does not dispute the site is acceptable in principle for this purpose, subject to other considerations.

Main Issue

4. Therefore, the main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site comprises the side garden of 2 Carlton Avenue, located on the corner of that street as the road bends to meet Leicester Road. The street scene is largely characterised by matching pairs of semi-detached dwellings set along Carlton Avenue, although the appeal property and its adjoining neighbour vary slightly in that they share a hipped roof rather than a gable and No.2 has this area of side garden in addition to the front and rear.

6. The proposal includes the erection of a detached, two-storey dwelling within this plot, which would be built from matching materials to the host property and retain part of the garden as amenity space while increasing the existing area of off-street parking.
7. While the appearance of No.2 may differ in some respects from adjacent dwellings, it shares other important characteristics and contributes to what is a strong and predominantly linear building line. The orientation of the proposed dwelling at an angle to the host dwelling would appear at odds with, and disrupt the rhythm of, this established pattern of development. Moreover, because the siting of the proposal fails to respond to the established housing pattern, the layout of the proposed building would appear contrived and would leave little garden space as a result. This would be at odds with other houses in the street, which feature generous back gardens and set-back from the street while also preserving a regular separation distance to each side.
8. Furthermore, the appeal site is prominent along Carlton Avenue given the corner location, and its openness is a significant feature of the vicinity. The construction of a dwelling in this location would erode this sense of openness which makes a positive contribution to the street scene. This impact would be exacerbated by the blank elevation at first floor level to the side elevation, which would create a stark and uninteresting feature in a conspicuous location.
9. To conclude, the proposed dwelling would be visually intrusive in the street scene, causing harm to the character and appearance of the local area. The development would therefore be contrary to Policies DM1 of the Blaby District Local Plan (Delivery) Development Plan Document and Policy CS2 the Blaby District Local Plan (Core Strategy) Development Plan Document. Together these seek, amongst other aims, to ensure development would be in keeping with the character and appearance of the area.

Other Matters

10. The personal circumstances of the appellant's family put forward in support of the proposal are noted. However, I have no specific details as to the requirement for a new dwelling to meet this need. As such, the private benefits of the proposal do not outweigh the harm I have identified.
11. I note the reference to other developments in the area. However, I have no specific evidence of these, such as plans or if/when they were granted permission. I did not observe any developments in the locality that would lead me to change my recommendation and regardless, each development is assessed on its own merits and I must judge the appeal before me as it is presented.
12. The appellant has indicated a willingness to undertake alterations to 2 Carlton Avenue to alleviate concern regarding living conditions of occupiers of both the existing and proposed dwellings. This is alongside considerations at design stage to site the proposed dwelling a sufficient distance from neighbouring dwellings. However, the Council has suggested concern could be overcome via the imposition of conditions. As the Council has not refused the application on this basis and I am dismissing the appeal on other grounds, I have not considered this further.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, the appeal is dismissed.

P J Davies

INSPECTOR