



Appeal Decision

Site visit made on 16 June 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2020

Appeal Ref: APP/W2465/D/20/3245242

24 Oaks Crescent, Leicester LE5 6SJ

- 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 Abdul Sattar Suleman against the decision of Leicester City Council.
 - The application Ref 20191736, dated 9 September 2019, was refused by notice dated 29 November 2019.
 - The development proposed is two storey side extension, part two storey part single storey rear extension, conversion of loft space to habitable room, dormer to rear, porch to front.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension, part two storey part single storey rear extension, conversion of loft space to habitable room, dormer to rear, porch to front in accordance with the terms of the application, Ref 20191736 dated 9 September 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 001 Rev B; Drawing No 002 Rev B; Drawing No 003 Rev B; Drawing No 004 Rev B; Drawing No 005 Rev B; Drawing No 006 Rev B; Drawing No 007 Rev B; and Drawing No 008 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The development includes a two-storey side and rear extension, a porch, single storey rear extension and a rear dormer window. The reason for refusal on the Council's decision notice indicates that the two-storey side extension is the matter in dispute. I have no reason to disagree with the Council's conclusion that the rest of the proposed development is acceptable in planning terms. My reasoning below therefore relates to the side extension.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the host property and the area.

Reasons

4. The appeal site comprises a detached two storey dwelling located within a residential area. The property has a two-storey bay column feature and a side garage that extends along the side boundary. The property, on both sides, is neighboured by bungalows and the wider area comprises bungalows and two storey dwellings. Dwellings in the area are individual in design which gives the area a sense of variety.
5. The proposed side extension would be subservient to the host property being both set back from the front wall and set down from the ridge of the roof. I find that this would result in an extension that would not be overly dominant but rather one that would be proportionate and sympathetic to the host property.
6. I acknowledge that the host property occupies a prominent position within the street scene. However, the scale and mass of the proposal would be appropriate when considering its subservient nature. It would be in keeping with the character and appearance of the area, when taking into account the property variations I have identified.
7. As such, the proposed development would accord with Policy CS03 of the Leicester City Core Strategy (2014) and Policy PS10 of the City of Leicester Local Plan (2006) which, amongst other things, requires new development to contribute positively to the character and appearance of the built environment.

Conditions

8. I have considered the imposition of conditions in accordance with the National Planning Policy Framework and the Planning Practice Guidance. In addition to the standard three-year time limit condition for implementation; I have imposed a condition specifying the relevant drawings as this provides certainty. A condition requiring matching materials is necessary in the interests of safeguarding the character and appearance of the area.

Conclusion

9. For the reasons set out above the appeal is succeeds.

B Thandi

INSPECTOR