



Appeal Decision

Site Visit made on 29 September 2020 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2020

Appeal Ref: APP/W2465/D/20/3246278

42 Guthridge Crescent, Leicester, LE3 1JJ

- 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 Sukhwant Singh against the decision of Leicester City Council.
 - The application Ref 20191897, dated 1 October 2019, was refused by notice dated 4 February 2020.
 - The development proposed is described as single storey rear extension; first floor side extension and outbuilding to the rear of the garden.
-

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 Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
4. The appellant has indicated that he would be willing to reduce the depth of the rear element of the single storey extension. However, I have not been provided with details of a revised proposal. Moreover, the Council has made their decision based on the original proposals, and there has been no opportunity for them, or other interested parties, to comment on any revised proposals. Consequently, I have made my recommendation based on the original submission.

Main Issues

5. The main issues are:
 - the effect of the side extension on the character and appearance of the host property and the surrounding area, and

- the impact of the scheme on the living conditions of existing and future occupiers of the host property, with particular regard to the provision of private amenity space and outlook.

Reasons

Character and appearance

6. The host dwelling, and its neighbour, sit back from the road and follow a similar building line to other dwellings in the Crescent. Each pair, or short terrace, of dwellings incorporate prominent 2 storey gable or hipped roof features, which project forward from the main façade by approximately 1 metre. Although some of the properties have been altered and extended, the symmetry of the properties is a very strong feature in the area.
7. The new side extension would provide accommodation over 2 floors. Whilst appearing as a single storey addition from the street, it would significantly increase the width of the host property and this, taken with its siting in line with the front projection, its shallow roof pitch with flat roof elements and tall windows/doors on the front elevation would result in a harmful addition which would not respect the design quality or proportions of the host property. Moreover, it would significantly unbalance the symmetry of the pair of semi-detached dwellings of which the host property forms part. The contribution that the host property and its attached neighbour would make to the character and appearance of the area would be diminished as a result of the side extension proposed.
8. In light of the above I conclude that the proposed side extension would harm the character and appearance of the host property and the surrounding area. This would be contrary to CS Policy 3. of the Leicester City Local Development Framework – Core Strategy (CS) and the National Planning Policy Framework which jointly seek developments that are of high quality, and well-designed, which contribute positively to the surroundings, and which are appropriate to the local setting and context. Moreover, it would be contrary to Paragraph 3.1 of Appendix G of the Leicester City Council – Supplementary Planning Document: Residential Amenity (SPD) which seeks to ensure that side extensions do not dominate the existing house by restricting the width of extensions and setting them back from the front wall of the existing dwelling.
9. The Council has referred to Policy PS10 of the City of Leicester Local Plan (LP) within its refusal reason. This policy primarily relates to residential amenity and is not directly relevant to this main issue.

Living conditions

10. The rear extension and outbuilding appeared substantially complete at the time of my site visit. Between these respective elements was a modest area of outdoor amenity space, which the submitted drawings show as being 4.3 metres in width. The Council has calculated that the outdoor space is approximately 40 square metres which falls significantly short of the minimum requirement of 100 square metres for a 3 bedroom property, set out in Appendix E of the SPD. This small area would be unlikely to be a pleasant space for children to play in or for the occupiers of the host property to spend quality time in outdoors, because of its limited size.

11. The outbuilding is located in close proximity to the windows and doors of the rear extension which serve an open plan kitchen, dining and living space. The outlook from these areas of fenestration would be dominated by the outbuilding which would be an intrusive feature which would make the rooms that the windows serve unpleasant to use.
12. Moreover, the proposed basement accommodation in the side extension would be served by high level windows, which would afford users of this family space little outlook when using this room. Furthermore, the room would likely to be gloomy because of the position of the windows and its depth. It would not be a pleasant place within which to spend time in.
13. In light of the above I conclude that the proposal would result in a poor quality living environment for the existing and future occupiers of the host property which would be harmful to their living conditions. Accordingly, the scheme conflicts with CS Policy 3. of the CS and saved Policy PS10 of the LP which jointly seek to create buildings and spaces that are fit for purpose and provide residents with a quality living environment. It would also be contrary to the SPD, and paragraph 127 of the National Planning Policy Framework, which seeks a high standard of amenity for existing and future users.

Other Matters

14. I acknowledge that the appellant is willing to make amendments to his proposals and has expressed concern that the Council have not been proactive in discussions or negotiations. Such matters would in the first instance need to be taken up with the Council. These matters do not alter the conclusions that I have reached.

Conclusion and Recommendation

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

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR