



Appeal Decision

Site Visit made on 7 December 2020

by Rachel Walmsley MSc, MA, BSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/Y2430/D/20/3260933
42 Avon Road, Melton Mowbray, LE13 0EJ

- 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 and Mrs A Abrames against the decision of Melton Borough Council.
 - The application Ref 20/00823/FULHH, dated 15 July 2020, was refused by notice dated 7 September 2020.
 - The development proposed is proposed extension to dwelling, previous application number 19/00365/FULHH.
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Decision

1. The appeal is allowed and planning permission is granted for proposed extension to dwelling, previous application number 19/00365/FULHH at 42 Avon Road, Melton Mowbray, LE13 0EJ in accordance with the terms of the application, Ref 20/00823/FULHH, dated 15 July 2020, subject to the following conditions:
 - i) the development hereby permitted shall begin not later than 3 years from the date of this decision;
 - ii) 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, and;
 - iii) the development hereby permitted shall be carried out in accordance with plan A0-10-07-2020 Rev 1.

Main Issues

2. These are the effect of the proposal on the character and appearance of the area and on the living conditions of neighbouring occupiers.

Reasons

3. The position of the appeal property and the houses either side are staggered to accommodate the bend in Avon Road. The front building line of the appeal property, therefore, sits behind No 30 and in front of No 44. The development would protrude forward of the building line of the host property. However, it would not disrupt the stepped pattern of buildings in the street and therefore would not detract from the existing pattern of development in this part of Avon Road.

4. The form of the development would be sympathetic to that of the host property with the gables complementing the form of those on the existing house and those elsewhere in the street. And the scale of the extensions would not appear unduly dominant or overbearing in relation to the scale of the existing house and to those either side of the appeal site. And so, whilst the development would result in a notable change to the form and scale of the host property, it would not appear incongruous in the street.
5. There are no windows within the extensions that would directly overlook neighbouring living spaces and therefore result in an invasion of privacy. The development would be a sufficient distance away from a flank ground floor window at No 30 to avoid any harm to outlook. Being north of No 30 the development would not overshadow this neighbouring property and there are no windows or living areas at No 44 that would be affected by any loss of light. Concerns about a retaining wall is a private matter and is not for consideration as part of this appeal.
6. As part of the development, a window is proposed to an existing bedroom that would overlook No 44. Details have been submitted to show how part of the window would be obscure glazed to mitigate any harm from overlooking. I am satisfied that this would protect the privacy of the neighbouring occupiers.
7. All in all, I find that the development would not be harmful to the character and appearance of the area or to the living conditions of neighbouring occupiers and so would not be contrary to policy D1 of the Melton Borough Local Plan (2018) which requires all new development to be of high quality design and not compromise the amenity of neighbours and neighbouring properties.

Conditions

8. In the interests of the appearance of the area and certainty, conditions relating to the use of matching materials and the specification of the relevant drawings have been imposed.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

R Walmsley

INSPECTOR