



Appeal Decision

Site visit made on 9 February 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2021

Appeal Ref: APP/W2465/D/20/3264539

195 Wigston Lane, Leicester LE2 8DG

- 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 Richard Ho against the decision of Leicester City Council.
 - The application Ref 20201827, dated 21 September 2020, was refused by notice dated 17 November 2020.
 - The development proposed was originally described as 'two-storey side extension and rear extension'.
-

Decision

1. The appeal is allowed and planning permission is granted for construction of single storey extension at front and side and two storey extension at side and rear of house at 195 Wigston Lane, Leicester LE2 8DG in accordance with the terms of the application, Ref 20201827, dated 21 September 2020, subject to the following conditions:
 - (1) The development hereby permitted shall begin not 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: 10/11/2020 Amended Drawing Nos P001 Rev D and P002 Rev D.
 - (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 dwelling as closely as possible.

Procedural Matter

2. The proposals incorporate a single storey front extension. I have therefore considered the appeal on the basis of the revised description on the Council's decision notice and this description is incorporated into paragraph 1 of this decision.

Main Issue

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

Reasons

4. Wigston Lane has a prevailing residential character. Dwellings are generally semi-detached and detached dwellings. The dwellings at Nos 195 – 201

Wigston Lane form two pairs of similarly designed two storey semi-detached dwellings which incorporate hipped roofs, bay windows and an arched surround to their front doors. However, there is considerable variation in terms of the design and elevational treatment of dwellings within the wider street scene on Wigston Lane.

5. The first-floor element of the extensions would incorporate a hipped roof, would be set back from the front elevation and would be set down at ridge level. Furthermore, the neighbouring dwelling at No 193 Wigston Lane is a bungalow and has a single storey garage next to the shared boundary. Consequently, the development would have a degree of subservience relative to the host dwelling and would not result in the terracing effect that the Leicester City Council Residential Amenity Supplementary Planning Document (SPD) (2008) seeks to avoid.
6. The design of the front projection and entrance would not match the arched surround on adjoining dwellings. However, Wigston Lane includes several examples of single storey front projections and porches in a variety of forms. I am not aware that there are controls in place which would prevent this particular group of properties from providing their own porches. The door with accompanying glazed side panel would not be an unattractive feature and the vertical and horizontal alignment of the window to the front elevation would appear reasonably balanced. The shared characteristic of the bay window feature would also be retained.
7. With regards to the Council's concern in respect of the appearance of the side elevation of the extensions, it is not highly unusual for side elevations to be partially visible from the street and to have limited detailing or fenestration. Indeed, the existing side wall can be seen by passers-by on Wigston Lane, is of comparable depth to the proposal and only has a single window. Whilst the proposed wall would sit closer to the boundary with No 193, views of the wall would still be at an oblique angle and would partially be screened by this neighbouring dwelling.
8. Overall, I acknowledge that the extensions would differentiate the dwelling at No 195 from the neighbouring similarly designed semi-detached dwellings. However, I am satisfied that the development would be of an acceptable appearance and would assimilate into the street scene of mixed architectural design. Therefore, any failure to fully meet the guidance in the SPD, including the minimum 1.0m set back distance, would not be materially harmful in this particular instance.
9. I conclude, the development would have an acceptable effect on the character and appearance of the area. In that regard, it would comply with the aims for development to be well designed which responds positively to the surroundings and takes into account the visual quality and ability of the area to assimilate the development in CS Policy 3 (Designing Quality Places) of the Leicester City Council Core Strategy (2014) and Saved Policy PS10 (Residential Amenity and New Development) of the City of Leicester Local Plan (2006).

Other Matters

10. A neighbouring occupier has raised concern that they presently experience vibrations from activity in the garden of the host dwelling. However, the dwelling would retain a rear garden of similar depth to the existing situation.

There is no substantive evidence before me to indicate that the development would have a significant impact on levels of outdoor activity nor that such activity would be above usually expected levels in a residential setting. Any concerns relating to decking in the garden or the potential for a log cabin to be erected are not matters to be assessed under this appeal.

Conditions

11. I attach the standard timescale condition. I also attach conditions confirming the approved plan numbers in the interests of certainty and requiring the extensions to be completed in materials to match the existing dwelling in the interests of character and appearance.

Conclusion

12. For the reasons given I conclude that the appeal should succeed.

M Russell

INSPECTOR