



Appeal Decision

Site visit made on 23 March 2021

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 06 April 2021

Appeal Ref: APP/X2410/D/20/3262861

2 Dobney Avenues, Queniborough, LE7 3FF

- 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 P Modessa against the decision of Charnwood Borough Council.
 - The application Ref P/20/1460/2, dated 17 August 2020, was refused by notice dated 12 October 2020.
 - The development proposed is single storey front, side, and rear extension plus alterations to the roof to create a loft bedroom and ensuite.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site lies at the corner of Dobney Avenue and New Zealand Lane. New Zealand Lane is a road which is characterised by mixed development of 1 and 2 storey houses which vary in their distance from the road. Dobney Avenue is a road which is primarily comprised of bungalows which display a similar character, although a number have had substantial extensions.
4. The dwelling which is the subject of this appeal has permission for a single storey extension which incorporates some of the elements of the appeal proposal, although not the extension to its roof. It appeared to me at the site visit that the previously approved extension was in the process of implementation.
5. At the entrance to Dobney Avenue from New Zealand Lane there are bungalows either side of the road which set the character of Dobney Avenue as a whole. Neither of the bungalows at the entrance to Dobney Lane has had an extension to its roof. The two bungalows at the entrance to Dobney Lane are the most prominent as they have elevations on to both New Zealand Lane and Dobney Avenue.
6. Other roof extensions to bungalows in Dobney Avenue are predominantly to the rear of the dwellings, however given the corner position of the appeal site

the extension would be clearly visible from New Zealand Lane. Its height and width would give the proposed roof extension prominence in the street scene. The appeal proposal would increase the prominence of the bungalow in relation to both its neighbour at No 6 Dobney Lane and the other bungalow on the opposite corner. This would harm the character and appearance of the area as it would introduce a prominent and incongruous feature on the corner of these two streets and unbalance the relationship between the two bungalows at the entrance to Dobney Avenue.

7. I note the appellant has argued that the proposed development has the potential to improve the character and appearance of the existing bungalow. However, there is work already underway to implement the approved scheme and this also has the potential to improve its character and appearance without the need to increase the height of the rear extension.
8. The development plan for the area is comprised of the Charnwood Local Plan 2011 to 2028, Core Strategy (CS), adopted on 9 November 2015 and the Borough of Charnwood Local Plan 1991-2006 adopted in January 2004 (LP). Policy CS2 of the CS seeks to support proposals that make a positive contribution to and respect the character of an area, in particular in relation to their height. Policies EV/1 and H/17 of the LP both promote high standards of design which respect the local environment and support residential extension proposals that are not visually incongruous or intrusive in the street scene.
9. I note that the Council has made reference to the Queniborough Neighbourhood Plan (NP) in its statement. The NP has not yet been 'made' as it has yet to be put to a referendum. However, it has reached a stage where some limited weight can be attached to its policies.
10. Policy Q15 of the NP expects development to be in keeping with the scale, form and character of its location and that buildings are designed and positioned to enhance streets and spaces. The height and design of the appeal proposal and its location at a prominent corner position means that it would form an incongruous development which would not respect its location nor the scale of other dwellings on Dobney Lane where it meets New Zealand Avenue. In this respect the proposal would be in conflict with the policies of the emerging NP.
11. I find that the appeal proposal is in conflict with the policies of the development plan as it would introduce a development which would be visually incongruous and intrusive on a prominent corner site by reason of its height in relation to the existing building.

Conclusion

12. For the reasons given above I dismiss the appeal.

Peter Mark Sturgess

INSPECTOR