



Appeal Decision

Site visit made on 29 June 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2021

Appeal Ref: APP/W2465/W/21/3270209

4 Treetops Close, Leicester LE5 2FJ

- 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 M Patel against the decision of Leicester City Council.
 - The application Ref 20201928, dated 4 October 2020, was refused by notice dated 2 March 2021.
 - The development proposed is conversion of existing double garage into single-storey one-bedroom annexe.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on the character and appearance of the area and the living conditions of future residents.

Reasons

3. The host dwelling is a two-storey detached property, in a predominately residential area of similar sized dwellings in the locality. The appeal site is currently a detached double garage to the front of the property, screened on the approach by landscaping.
4. Whilst there is some variety in the detailed design of properties, the sub-division of the existing plot would result in an uncharacteristically small plot for both the existing dwelling and the proposed development, which would not adhere to the prevailing spatial character of the area and would look out of place. The overall appearance of the proposal would result in an overdevelopment of the appeal site which would appear particularly incongruous in the wider street scene when considered in the context of existing development within Treetops Close, even with a level of mitigation from landscaping.
5. Whilst there is agreement between the parties about that land that is available, I find that the amenity space to the side of the annexe cannot be considered as private amenity space, and the extensions and site layout would also mean the loss of parking for the main dwelling, although this has been indicated to be available at the front of the existing dwelling. There is also the issue of storage of wheelie bins which would need to be accommodated.

6. I have also considered the concerns expressed over the availability of outlook for future occupiers of the unit. However, whilst I would accept that the outlook would be reduced due to the position and proximity of the boundary, I am not persuaded that any reduction would be so significant as to be unacceptable. I am satisfied that the fenestration proposed would possess an adequate level of outlook across the property forecourt.
7. The proposals would lead to the conversion of a building with the minimal use of resources and would provide living accommodation with off road parking in an appropriate location for residential development. This however is outweighed by the significant harm to the character and appearance of the area.
8. The provision of an additional unit of accommodation would make a limited contribution towards the supply of housing in the local area, with the local economy also having the potential to have some limited benefit during the construction and from any expenditure from future occupiers. Nevertheless, whilst acknowledging the above benefits, the proposed development would have an adverse effect on the character and appearance of the area and would not provide satisfactory private amenity space for future occupiers
9. As a consequence, I have not found the development to be in accordance with the Development Plan. I am satisfied that despite the limited benefits summarised above, that these would be significantly outweighed by the adverse impacts.
10. Therefore, I find the development in conflict with Policy CS03 of the Leicester City Core Strategy (2014) and Policy PS10 of the City of Leicester Local Plan (2006) which when taken as a whole, amongst other matters, expect development to contribute positively to an area's character and appearance, take into account the visual quality of an area and also does not address the design and visual requirement of the National Planning Policy Framework.

Conclusion

11. For the above reasons, the appeal is dismissed.

Paul Cooper

INSPECTOR