



Appeal Decision

Site Visit made on 28 June 2021

by Ian Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State

Decision date: 16 July 2021

Appeal Ref: APP/Y2430/W/21/3271151

17 Weaver Green, Melton Mowbray, Leicestershire LE13 0UH

- 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 E Robson against the decision of Melton Borough Council.
 - The application Ref 20/00655/FUL, dated 18 June 2020, was refused by notice dated 28 September 2020.
 - The development proposed is a self-build dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant against Melton Borough Council. This application is the subject of a separate decision.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the area; and,
 - the effect of the proposal on the availability of on street parking.

Reasons

4. The appeal site is located in a residential area within the built up part of Melton Mowbray. As a result, the location of the proposed development complies with the spatial strategy of the development plan and is acceptable in principle.

Character and appearance

5. The appeal property is located on a municipal housing estate. Although it is a two storey house it has the appearance from the front of a chalet bungalow. It forms one half of three pairs of semi-detached dwellings that enclose a small green off the large green in the centre of Weavers Green.
6. Housing development around the larger green is characterised by semi-detached dwellings and short terraces separated by gaps of approximately 5 metres. In contrast, development around the smaller green is separated by markedly wider gaps. However, with the majority of dwellings on the smaller green appearing from the front to be chalet bungalows, and with linking walls between the pairs of dwellings almost a single storey in height, the smaller green has an intimate sense of enclosure.

7. The proposed two bedroom dwelling would measure a little over half the width of the existing bungalow. Attached level with the side of No 17 and level with its roof, it would occupy the majority of the space to the side of the dwelling to create a short terrace. As terraces are a feature of Weavers Green this would be in keeping with the area. Given the wide width of the gap separating No 17 from its unattached neighbour, No 16, and the notable degree of enclosure that already exists by virtue of the tall wall linking the two dwellings, the proposed house would not result in a loss of space separating the two houses that would be harmful to the streetscene. Similarly, the difference that would occur between the widths of this gap and the width of the gap on the other side of the short terrace that would be created would not unduly unbalance the relationship of the terrace with its neighbours. Moreover, this difference would be obscured by the screening effect of the line of 4 mature trees within the green in front of No 18.
8. The proposed dwelling would step out and extend to the side towards the rear to make use of the widening width of the site. However, it would be sufficiently set in from the side boundary so that in views from the public path that passes between No 17 and 16 it would sit comfortably within its plot.
9. Taken together, these factors are sufficient for the siting and scale of the proposal not to have a material adverse effect on the pattern of development that characterises this smaller green and Weavers Green as a whole.
10. However, the window openings to the front elevation of the proposed house would not match No 17. This is because its ground floor windows are shown set at a different height and the primary ground floor window would have a distinctly horizontal emphasis which is not present in the other windows at ground floor level at Nos 17 and 18. The appearance of the proposed dwelling would therefore adversely disrupt the rhythm of development in the terrace it would create - to the extent that it would appear as a poorly designed 'add on' harmfully standing out and at odds with its attached neighbours.
11. Taking all these matters into account, I therefore conclude that whilst the scale, form and position of the proposed house would be acceptable, the unsympathetic fenestration to the front elevation lets down the scheme overall and means that it would demonstrably harm the character and appearance of the area. As a consequence, it would not constitute high quality design and so would be contrary to policy D1 of the Melton Local Plan.

Parking provision

12. Policies D1 and IN2 of the Melton Local Plan, amongst other matters, respectively require that new development is assessed against whether it makes adequate car parking provision, and that new development should, where possible, have regard to providing appropriate and effective parking. The car parking standards the Local Plan relies upon are those of the Highway Authority which for a two bedroom dwelling, such as the appeal proposal, is that one parking space should be provided.
13. Owing to the presence of the smaller green in front of No 17, there is no vehicular access to the house and so providing on-site parking is not possible. At the time of the site visit during normal week day working hours, even allowing for the dropped kerbs in front of houses that have reduced on street parking, in my judgement, there was ample on road parking space along

Weavers Green. In evenings and at weekends, when most people are at home, it is likely that there will be significantly less on street parking available.

14. Four off road parking spaces are present directly to the rear of No 17. On the basis of observations carried out over a number of weeks evidence demonstrates that only one of these spaces is regularly occupied. The appellant's Design and Access Statement states that these spaces form part of a Council owned parking area and that in order to make use of the parking spaces rent must be paid. Nothing though has been submitted that secures use of one of these parking spaces for future occupiers of the proposed house.
15. However, Weavers Green is close to the town centre and the services, facilities and public transport it has to offer. This reduces the need for a car. The submitted evidence also shows that the area has a low level of car ownership which reduces the pressure on on-road parking. In this context, I therefore conclude that the proposal would not result in unacceptable parking pressure and that it is acceptable for it not to provide an off road parking space. The proposal would therefore comply with policies D1 and IN2 of the Local Plan in relation to parking.

Other Matters

16. The proposed dwelling would be a self-build custom house which is a type of housing policy C8 of the Local Plan supports by requiring the provision of self-build plots on development sites of 100 dwellings or more. On the basis of the evidence that has been provided, to date, the Council has not granted sufficient permissions to meet the demand for such housing in the Borough. Given the emphasis though on good design in the development plan and national planning policy, and the proposal's shortcomings in this regard, this is a consideration of only limited weight in favour of the proposal.

Conclusion

17. The appeal site is located in an area where the principle of residential development is supported by the development plan. It would also accord with the Local Plan in that it would not increase parking pressure. The proposal though due to its poorly designed front fenestration would demonstrably harm the character and appearance of the area and would not constitute high quality design as sought by policy D1 of the Melton Local Plan. As a result, I find that the proposed development would be contrary to the development plan considered as a whole.
18. The other consideration put forward in favour of the proposal, namely that it would help meet the demand for self-build custom houses, is insufficient to outweigh the harm that would be caused and non-compliance with the development plan. Material considerations therefore do not indicate that the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector