



Appeal Decision

Site Visit made on 7 September 2021

by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/G2435/W/21/3276296

23 Clyde Court, Thringstone LE67 8LE

- 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 Tim Ashton against the decision of North West Leicestershire District Council.
 - The application Ref 21/00356/FUL, dated 1 March 2021, was refused by notice dated 28 April 2021.
 - The development proposed is erection of 1 No. 2 bedroom detached dwelling.
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Decision

1. The appeal is dismissed

Main Issue

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

Reasons

3. The site is located in a residential estate largely comprised of short terraces or pairs of semi-detached houses of very similar appearance. This provides a strong characteristic. The predominant finishing material is pebble dash rendering, and although there is some variety in the colours of the render, this material adds to the sense of unity.
4. No. 23 is located at the end of a terrace and at the end of the row of houses in Clyde Court. The proposed dwelling would be positioned to its side and would generally follow the front and rear building lines of the terrace. Furthermore, at first floor level the dwelling would replicate the pebble dash render and fenestration arrangement of the host terrace.
5. However, in order to avoid building across an existing foul waste pipe, the ground floor of the dwelling would be set back, by over two metres at its greatest point, from the façade at first floor level which would therefore be cantilevered. This unusual design is unprecedented in the area and so, in the context of the very consistent form and design of the other houses in the terrace and in the wider area, the dwelling would appear starkly incongruous.
6. The local example suggested in the appellant's statement is a structure which provides access to first floor flats so is not a comparable development to that proposed. The other example given of a building with a jettied first floor element is, seemingly, hundreds of years old and so has little similarity to the current proposal or its surroundings. The other photos provided by the

appellant show houses in the area with generally consistent appearances aside from a few porches, and blocks of houses with possibly very slightly staggered building lines. None show any inconsistency in the general appearance of the houses to the same extent that the proposal would display.

7. The Council raise concern with the use of brickwork at ground floor level. This material would add to the development's incongruity, but details of alternative finishing materials could be secured by a planning condition were planning permission granted.
8. The design clearly takes account of the constraint of the foul infrastructure as required by part (1) of Policy D1 of the North West Leicestershire Local Plan. Nonetheless the overarching aim of the policy is to ensure development is well designed. In this case the design approach to addressing the presence of the foul infrastructure results in a poorly designed dwelling that would be highly incongruous and so would cause unacceptable harm to the character and appearance of the area. Consequently it would conflict with policy D1. It would also conflict with the Good Design for North West Leicestershire Supplementary Planning Document, which supports good design for all development.

Conclusion

9. The development does not accord with the development plan taken as a whole. The provision of one additional dwelling to the stock of local housing would provide a small economic and social benefit, but this is limited and does not suggest the decision should be made other than in accordance with the development plan.
10. Therefore, for the reasons given above and having had regard to all other matters raised, the appeal is dismissed.

Andrew Owen

INSPECTOR