



Appeal Decision

Site Visit made on 14 September 2021 by G Sibley MPLAN MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/W2465/D/21/3276608

89 Aylestone Road, Leicester LE2 7LN

- 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 S Nadarajah against the decision of Leicester City Council.
 - The application Ref 20210553, dated 8 March 2021, was refused by notice dated 12 May 2021.
 - The development proposed is side hip to gable loft conversion with dormers and alterations to the north elevation fenestration.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have been provided with a further opportunity to make submissions in respect of the publication, but no comments were received.

Main Issue

4. The effect of the proposed development upon the character and appearance of the building and street scene.

Reasons for the Recommendation

5. The host property is the end building in a run of two storey terrace properties that have commercial uses on the ground floor. It is located in a prominent position on the junction of Aylestone Road and Hazel Street. The Victorian red brick buildings above the ground floor of the terrace are similar in appearance with intricate fenestration detailing around the windows. The roofscape of the terrace is simple in form and does not have any dormer windows within it. Notwithstanding this, dormer windows are a common feature within the local area.
6. The building currently has a hipped roof whilst the building at the opposite end of the run of the terrace has a gable end roof. Additionally, the building on the opposite side of Hazel Street also has a gable end roof. As such, the proposed

hip to gable extension would not appear out of context when viewed as part of the terraced roofscape or within the Aylestone Road street scene. Moreover, the extended roof and its relationship to its outrigger would be similar to that to the rear of No 87 Aylestone Road, along Hazel Street and would therefore reflect the character of this street scene also.

7. However, the proposed front and rear dormer windows would introduce discordant and alien features within the roof scape of this part of the street scene. The front dormer would not reflect the windows at roof level nearby in Aylestone Road which appear to be part of the original design of the properties and the box dormer on the rear would be an overly bulky, top heavy addition that would detract from the simple roof form of the terrace of which the host property forms part. The resultant scale of the property would appear incongruous alongside the other two storey buildings nearby.
8. Whilst rear dormer windows can be built using the buildings permitted development rights, the purpose of this appeal is to assess the proposal before me. I have not been provided with substantive evidence that the rear dormer window could be constructed using the building's permitted development rights and given the limited information before me I cannot conclude that there would be a real prospect that a permitted development scheme could be implemented, if the appeal were to fail. Consequently, this matter does not weigh in favour of the proposal. It is clearly open to the appellant to pursue this matter separately should he so wish.
9. Whilst I have found that the hip to gable extension would not cause harm to the character and appearance of the building or the wider street scene, the three elements of the development would be integral to each other and as a result would not be easily severable. As such, it would not be possible to issue a split decision in this instance.
10. I conclude therefore, that the proposed development would cause harm to the character and appearance of the building and the street scene. Consequently, the proposal would be contrary to CS Policy 3 of the Core Strategy which states that new development should contribute positively to an area's character and appearance in terms of scale, height, density, layout, urban form, high quality architecture, massing and materials. The proposal would also be contrary to the Residential Amenity Supplementary Planning Document (adopted 2008) insofar as the proposal would cause harm to the visual quality of the area. Finally, the proposal would not accord with paragraph 130 of the Framework which states that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and should be visually attractive as well as sympathetic to local character and history.

Conclusion and Recommendation

11. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

RC Kirby

INSPECTOR