
Appeal Decision

Site visit made on 1 February 2022

by R W Allen B.Sc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2022

Appeal Ref: APP/W2465/D/21/3288669

9 Egerton Avenue, Leicester, LE4 0DQ

- 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 Zunaid Patel against the decision of Leicester City Council.
 - The application Ref 20211618, dated 28 June 2021, was refused by notice dated 29 October 2021.
 - The development proposed is hip to gable roof extension including conversion of loft space from storage to habitable room, dormer to the rear and velux windows to the front, conversion of garage to habitable room including internal alterations, porch at front.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I see no obvious reason to depart from the appellant's description of the proposal as the Council has done for its decision notice, and I have therefore used the description as prescribed in the application form in the banner heading above. Both the appellant and the Council describe the proposed dormer window as only being at rear. However, the appeal drawings illustrate that the dormer window would extend to the side as well, and it is a little disingenuous to describe the side alterations as a hipped to gable roof conversion. As the appellant concedes this point in paragraph 7 of their statement of case, I shall determine the scheme as such.

Main Issue

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

Reasons

4. The appeal property is a two-storey semi-detached dwelling which, along with its adjoining neighbour, is designed with a hipped roof. This is a very common feature of this area with the only exceptions I observed being two detached dwellings on the opposite side of the road to the appeal site which have gabled end roofs. I therefore do not share the appellant's view that the roof forms are predominately mixed in character.
5. Unlike many of its neighbours, the appeal property is not flanked to the side with a dwelling on the same axis, as the adjoining neighbour is on Welbeck Avenue and as such lies at right angles to the dwelling. The relevance of this is that the roof of the appeal property is both prominent and highly visible in the

street particularly when viewed from the junction of Egerton and Welbeck Avenues.

6. In my judgement, the proposed dormer window by reason of its design and size would appear as a bulky, dominant and unsympathetic addition to the property. I note that the appellant has attempted to retain the semblance of the hipped roof at the frontage of the property by setting the dormer window back. However, this attempt would not prevent the existing roof from being subsumed by the dormer window, resulting in the property appearing as a three-storey dwelling with a flat roof, and appearing wholly at odds with the surrounding character. The blank and featureless front and side elevations of the dormer window would only exacerbate its unattractiveness. While it may sit within the existing ridgeline, I do not find the proposed dormer window would be subservient as the appellant suggests.
7. I observed limited comparable examples in the surrounding locality where the proposed development had been directly or similarly replicated. While I noted, albeit with glimpsed views, a dormer addition to a property further towards the end of Egerton Avenue, this appeared to be confined only to the rear roof slope with the property retaining its hipped roof character on its side. I did not therefore find any tangible link from here or any other property to persuade me to alter my findings.
8. No party objects to the proposal for the single-storey front extensions or the insertion of rooflights to the front roof slope. While I concur, I am not persuaded, particularly in relation to the rooflights, that these elements are obviously divisible and separable from the main roof alterations which I have discussed above. Because of this, I am not in a position to consider issuing a split decision to permit those other elements of the appeal and the appellant has in any event not invited me to do so. Insufficient evidence is also before me on the so called "fallback" position which the appellant states they may be allowed to do under permitted development rights. As such, they have had no bearing on my decision.
9. For the reasons given above, I therefore find that the proposed development would have an unacceptable effect on the character and appearance of the host property and the surrounding area. It would conflict with policy CS03 of the Leicester City Local Development Framework Core Strategy, which is the general design policy, and seeks amongst other things high quality designs which contribute positively to the character and appearance of the local environment. It would also conflict with the Council's guidance and the relevant parts of the National Planning Policy Framework.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

R W Allen

INSPECTOR