
Appeal Decision

Site visit made on 12 May 2022

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2022

Appeal Ref: APP/L2440/D/22/3295181

50 Kenilworth Road, Wigston, Leicester, Leicestershire LE18 4XS

- 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 Miss S Smith against the decision of Oadby and Wigston Borough Council.
 - The application Ref 21/00544/FUL, received by the Council on 19 October 2021, was refused by notice dated 25 February 2022.
 - The development proposed is the erection of a single storey side extension to form kitchen extension, new utility room and wc.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single storey side extension to form kitchen extension, new utility room and wc at 50 Kenilworth Road, Wigston, Leicester, Leicestershire LE18 4XS in accordance with the terms of the application Ref 21/00544/FUL, received by the Council on 19 October 2021, subject to the conditions set out in the schedule to this decision.

Procedural matter

2. The name of the appellant is given as Mrs Sarah Smith on the planning appeal form, whereas the name appearing on the application form is Miss S Smith. As the right of appeal rests solely with the original applicant, I have proceeded on the basis that Miss S Smith is the appellant in this case.

Main issue

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

Reasons

4. The appeal property is a 2-storey semi-detached dwelling that occupies a prominent corner plot at the junction of Kenilworth Road and Glamorgan Avenue within an estate style residential area. Near to the site, I saw that buildings vary in size, type and design with some properties externally altered and extended. Consequently, there is some variety in the existing built form within the street scene and the local area to which No 50 belongs.
5. The proposed side extension would be modest in scale and height, simple in design and set back from the main front wall. As a result, it would clearly be

- subordinate addition. With materials to match those of the existing dwelling, as proposed, the proposal would relate reasonably well to the host building.
6. The finished building would appear more substantial in-built form and so it would gain some prominence in the street scene. The gap between the house and the adjacent highway would also be reduced with the introduction of the new extension. Even so, the completed dwelling would be noticeably set back from Glamorgan Avenue with a low eaves level and a mono-pitched roof that would keep a relatively low profile when seen from the road. With adequate space retained around each side of the finished building, the sense of openness around the corner of the adjacent junction would be retained. In those circumstances, the corner plot of No 50 would not feel overly built up nor would the adjacent junction appear or be perceived as overly narrow or too enclosed.
 7. The proposal would project noticeably beyond of the front building line of the nearest dwelling facing Glamorgan Avenue, which broadly aligns with the flank wall of the existing appeal dwelling. However, a sizeable gap separates this neighbouring property and No 50 with detached single storey outbuildings in between. Given that visual separation, and the modest presence of the new extension in the streetscape, no visual disharmony would result from the varied build line or to the established pattern of existing development.
 8. I saw several examples of buildings with side additions on prominent corner plots that project beyond the front build lines of adjacent properties on their return frontages, including those to which the appellant has referred. In some cases, these existing extensions were larger and more evident in their street scene than would be case with the proposal. These examples indicate that the new extension would not be an uncharacteristic addition to the local area.
 9. The Council's Residential Development Supplementary Planning Document (SPD) states that side extensions to existing dwellings on corner plots effectively become front extensions and can have a major impact on the appearance of the street scene. Accordingly, the SPD advises that this type of development is deemed unacceptable unless exceptional circumstances dictate otherwise. For the reasons given, such circumstances exist in this case.
 10. On the main issue, I conclude that the proposed development would not cause significant harm to the character and appearance of the local area. As such, it does not conflict with Policies 1, 6 and 44 of The Borough of Oadby and Wigston Local Plan 2011–2031 or the Council's SPD. These policies and guidance aim to ensure that new development achieves a high standard of design, respects local character and is sympathetic to and in keeping with their surroundings. It also adheres to the National Planning Policy Framework, which also states that development should be sympathetic to local character.
 11. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building.
 12. For the reasons set out above I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

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Schedule of conditions

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Ref SS/2021/1, the Location Plan, which shows the site edged red (scale 1:1250) and the Site Layout Plan, which illustrates the position of the proposed extension (scale 1:500).
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.