

Appeal Decision

Site visit made on 26 April 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 June 2022.

Appeal Ref: APP/L2440/D/22/3294153

14 Bankart Avenue, Oadby, LE2 2DB

- 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 William Cull against the decision of Oadby and Wigston Borough Council.
 - The application Ref 21/00124/FUL, dated 12 March 2021, was refused by notice dated 9 December 2021.
 - The development proposed is a loft extension, alterations to the roof and new second floor access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. One of the Council's reasons for refusal refers to the provision of car parking spaces. However, further to my site visit and on consideration of all of the evidence before me, I am satisfied that the proposal could be developed without harm to highway safety and there is no substantive evidence before me to the contrary. Consequently, the main issue in this respect of this appeal is that as set out below.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is a two-storey semi-detached dwelling located in a residential area. The dwelling is of brick and tile construction with timber and render decoration. It is set back from the road behind a driveway and has a garden to the rear.
 5. Bankart Avenue is situated within the Oadby Arboretum historic character area and the appeal property is recognised as part of a group of ten dwellings on Bankart Avenue as a Locally Listed Building.
 6. Bankart Avenue has a distinctive character and is notable for the presence of matching pairs of semi-detached properties which, whilst modernised over the years, maintain strikingly attractive period features, including ornate brickwork,
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bays, rendering and timber decoration, along with matching gables, dormers and roofscapes. Dwellings share a build-line, set back from a tree-lined pavement behind short gardens and/or driveways. The overall effect is to provide a very strong and attractive sense of uniformity.

7. The proposed development would involve raising the ridge height of the roof to create living accommodation at second floor level. The proposal seeks to achieve this in a manner whereby the roof would slope upwards from the main ridge towards the rear, resulting in a tall gable effect facing to the rear of the property.
8. Whilst the design appears to seek to limit changes being seen from the front of the property, I find that the effect of the proposed development would be to lead the extended roof to appear as an unduly contrived and awkward addition.
9. The proposed roof would be seen to rise and extend to the rear in a manner entirely unlike any other roof along this part of Bankart Avenue. The increased ridge height would be seen rising above the height of other dwellings and the odd side profile of the proposal would appear as a highly irregular and incongruous feature, especially when seen through the gap between Numbers 14 and 12 Bankart Avenue.
10. Consequently, I find that the proposed development would draw undue attention to itself as a visually incongruous feature. This would be to the detriment of the appearance of the appeal property itself, as well as to the surrounding area.
11. Whilst the appellant, in support of his case, draws my attention to the appearance of other dwellings I have found that the proposal would result in significant harm to the appeal property and its surroundings and this is not a factor outweighed by other forms of development elsewhere.
12. Taking the above into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Oadby and Wigston Local Plan (2019) Policies 1, 6 and 44; and to the Oadby and Wigston Residential Development Supplementary Planning Document (2019), which together amongst other things, seek to protect local character.

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR