



Appeal Decision

Site visit made on 1 June 2022

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2022

Appeal Ref: APP/L2440/D/22/3297524

13 Two Steeples Square, Wigston, Leicestershire LE18 1DZ

- 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 Harry Plumtree against the decision of Oadby & Wigston Borough Council.
 - The application Ref 21/00594/FUL, dated 13 November 2021, was refused by notice dated 16 February 2022.
 - The development proposed is rear elevation roof dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) The effect on the character and appearance of the area.
 - b) The effect on the living conditions of the occupiers of neighbouring dwellings with regards to overlooking.

Reasons

Character and Appearance

3. The appeal site is a mid terrace property in a residential area. The property sits over half an archway which provides access to a rear parking courtyard. The front elevation of properties in the road feature small dormer windows. This is not replicated on the rear elevations which are visible from the rear courtyard and Nos 23-27 Two Steeples Square.
4. The proposed dormer would span a significant width of the roof with only marginal inset from the side elevation. The scale, bulk and positioning of the dormer window would create an unbalanced, expansive and incongruous addition that would be unsympathetic to the host dwelling and the wider unbroken roofscape of the other properties in the terraced row. Whilst there are other dormer windows in the area, I did not observe any that were of the size or scale of the one proposed. Although the window would be located on the rear elevation it would nevertheless be visible from within the wider area.
5. The scheme would harm the character and appearance of the area and as such would conflict with Policy 6 of the Oadby and Wigston Local Plan (Local Plan)

which amongst other things requires new development to respect local character. It would also conflict with the parts of the Residential Development Supplementary Planning Document which says that dormer windows should relate in scale and style to the original building, be designed to incorporate elements of balance and symmetry and be kept to a minimal size and avoid becoming an over dominant feature in the roof.

Living Conditions

6. The Council say the dormer window would overlook neighbouring gardens generating a negative impact on the living conditions of neighbouring properties. However, there are windows on the first floor rear elevation which would provide views into neighbouring gardens. There is little before me to indicate that the views from the second storey would be more harmful than can reasonably be expected in a residential environment of terraced houses. On the evidence before me the development would not harm the living conditions of the residents of neighbouring properties in terms of overlooking. It would not therefore conflict with the part of Policy 6 of the Local Plan which requires new development to protect local amenity and resist development that has unacceptable contributions towards overlooking.

Other Matters

7. The appellant has made reference to a letter from the housebuilder saying that they have no objection to the proposal. Be that as it may, it does not make the development acceptable.
8. Whilst the appellant has questioned the removal of permitted development rights at the property, this is not a matter before me in this appeal. Permitted development rights have been removed and so it is for me to determine whether planning permission should be granted for the dormer window.

Conclusion

9. The development would not harm the living conditions of the occupants of neighbouring residents. However, there would be harm to the character and appearance of the area. For the reasons identified, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR