



Appeal Decision

Site visit made on 6 June 2022

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2022

Appeal Ref: APP/F2415/D/22/3296888

29 Bitteswell Road, Lutterworth LE17 4EL

- 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 & Mrs Turner against the decision of Harborough District Council.
 - The application Ref 22/00197/FUL, dated 3 February 2022, was refused by notice dated 1 April 2022.
 - The development proposed is described as "extension to existing bungalow, including construction of additional floor (resubmission following on from withdrawn application)".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - the living conditions of the occupants of No 35 Bitteswell Road.

Reasons

Character and Appearance

3. The residential area in which the appeal building is located is far from uniform. Dwellings vary in their size, design and scale. The appeal building is a detached bungalow, in a row of three. Two storey buildings predominate. There is no clearly defined building line to the south side of Bitteswell Road, but dwellings follow a staggered pattern, and some have single storey, subservient projections on their front elevations. Together, these elements combine to create a pleasant sense of spaciousness to the street scene which contributes positively to its character and appearance.
4. With the above in mind, I do not object to the addition of a first floor. However, the two forward projecting two storey gables specifically would contribute to a substantial bulk and mass on the site which would significantly and adversely reduce the open feel of the street scene. In addition, one of the gables would have a high solid to void ratio. This would be uncharacteristic of a conventional residential area, presenting something of an awkward blank face to the street.
5. This poor design quality and extent of forward projecting built form would therefore harm the character and appearance of the area. This would be contrary, in regard to this main issue, to Policy GD8 of the Harborough Local

Plan ('Local Plan'), Chapters 2 and 6 of the Development Management Supplementary Planning Document (SPD) and the National Planning Policy Framework (NPPF). Amongst other things, these require developments to respect the context and characteristics of the site and street scene to ensure that they are integrated as far as possible into the existing built form.

Living Conditions

6. The proposed development would result in several windows facing towards the side garden and side elevation of No 35 Bitteswell Road. Due to the height of the existing boundary treatment and the use of the rooms, overlooking would occur from one first floor bedroom window.
7. The windows in the side elevation of No 35 Bitteswell Road do not serve the functional areas of the property or are also served by windows/patio doors within the rear elevations. Therefore, the overlooking from the first floor bedroom window would not unduly affect the living conditions of the occupants of the neighbouring property.
8. The side garden of No 35 Bitteswell Road comprises a vegetable garden that may be tended regularly. However, it is not private since it can be, in part, viewed from the road and it is thus not the most sensitive part of the property's garden, as detailed in the SPD. The overlooking of the side garden from the first floor bedroom window would therefore not significantly affect the living conditions of the occupants of the neighbouring property.
9. The scale of the appeal building would increase in both height and depth. However, it would comply with the 45-degree guideline, as expressed in the SPD, and would not affect the private garden area to the rear. Although there would be some overbearing effect to the neighbouring property's side garden, it would be to a limited degree.
10. I do not therefore find harm to the living conditions of the occupiers of No 35 Bitteswell Road. The appeal scheme would therefore comply with, in to this this main issue, Policy GD8 of the Local Plan, Chapters 2 and 6 of the SPD and the NPPF, which together require developments to not have a significant adverse effect on the living conditions of neighbouring properties.

Conclusion

11. I have found for the appellant in regard to the second main issue and compliance with the development plan. As a lack of harm however, this would not be sufficient to weigh against my findings and subsequent conflict with the development plan in regard to the first. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. The appeal should therefore be dismissed.

A Berry

INSPECTOR