
Appeal Decision

Site visit made on 28 November 2022 by T Bennett BA(Hons) MSc

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2022

Appeal Ref: APP/T2405/D/22/3306763

68 Park Road, Cosby, Leicester, LE9 1RL

- 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 Mrs J Scholls against the decision of Blaby District Council.
 - The application Ref 22/0710/HH, dated 9 July 2022, was refused by notice dated 5 September 2022.
 - The development proposed is to replace flat roof with hipped roof on rear outbuilding.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The appellant was not at the property at the time of the pre-arranged site visit so I was unable to gain access to the rear garden. However, I was able to view the rear garden from over the gate located between the appeal site and the neighbouring property. I was also able to observe the development from two public vantage points on Rose Close, the first was alongside No. 72 Park Road and the second was at the rear of the appeal property. I was therefore satisfied from all I observed that this would be sufficient to make a recommendation.
4. The submitted plans show a proposed hipped roof on the outbuilding measuring 4.15 metres to the ridge. I observed a pitched roof under partial construction on the outbuilding. This appeared to be of a lower pitch than the submitted plans. Notwithstanding this, the appeal is made on the basis of the submitted drawings that were considered by the Council and I have made my recommendation based on those submitted plans.

Main Issue

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

Reasons for the Recommendation

6. The appeal property is a two storey mid-terraced dwelling within a row of six terraced houses that all have long, narrow rear gardens. Many of the properties have outbuildings of varying designs and of a modest height and scale, only

marginally projecting above the height of adjacent boundary treatment. At the end of the row, Rose Close provides access to further terraced properties which are located at the rear of the appeal site.

7. The existing outbuilding would see an increase in the roof height of approximately 1.5 metres due to the change in roof form from a flat to a hipped roof. The outbuilding is already of a significant size both in length and width, occupying a large proportion of the rear garden space.
8. Even with the proposed small reduction in eaves height, the increased roof height, in combination with the existing building footprint, would result in a disproportionately large, overly dominant and incongruous addition. This would be in stark contrast and out of character with the more modest outbuildings located within the neighbouring residential gardens. The tall ridge would further accentuate the overall scale and bulk of the outbuilding and would make it even more unduly prominent when viewed from neighbouring residential properties within the terrace and public vantage points on Rose Close.
9. The appellant has drawn my attention to a nearby recent development of two industrial units. The development is large and clearly visible from the rear of the terraced properties; however, the context is not the same. The industrial units are set outside the block of terraced properties and are not within a domestic curtilage where one would expect to see outbuildings of a more modest scale. Consequently, I am not persuaded that this example justifies the harm that I have determined would result from the appeal proposal.
10. Given the reasons above, I find that the development would harm the character and appearance of the area. It is therefore contrary to Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document (2019). Amongst other matters, these seek to ensure new development is appropriate for its context and is of a satisfactory design.

Other Matter

11. I acknowledge the letter of support with the signatures of three neighbours, however the letter details support for works *already* approved, therefore it does not appear to relate to the proposal before me. Moreover, this letter does not provide for a compelling reason why planning permission should be granted for an otherwise unacceptable development.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR