



Appeal Decision

Site visit made on 15 December 2022

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2023

Appeal Ref: APP/T2405/W/22/3302705

Land to the rear of 27 and 29 Sharnford Road, Sapcote LE9 4JN

- 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 Jarrod Morgan against the decision of Blaby District Council.
 - The application Ref 21/1368/FUL, dated 15 November 2021, was refused by notice dated 17 January 2022.
 - The development proposed is a two bedroom bungalow with parking and gardens.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the area; and
 - Whether the proposed development would provide satisfactory living conditions for future occupiers with regard to amenity space.

Reasons

Character and appearance

4. The appeal site comprises the rear gardens of 27 and 29 Sharnford Road - a pair of two storey semi-detached dwellings set behind deep frontages. Whilst the area displays variety in terms of property design, plot size and shape it is largely characterised by two storey dwellings set back from the highway with noticeable spacing around them which contributes to a spacious and pleasant residential environment.
5. Whilst views of the new dwelling would be screened to some degree by the position of neighbouring properties, the bank and planting it would still be visible from localised points on Cooks Lane. It would also be viewed from the

windows of neighbouring properties such that the change in the built form of the area would be noticeable from public and private vantage points. The loss of the existing garden area through its development would significantly change the character and appearance of the area.

6. I acknowledge that the proposed development would have a modest scale. However, the proposed arrangement would significantly be at odds with the established pattern of built form locally with limited spacing around the dwelling. It would not successfully integrate into the area by virtue of its small plot, appearing as an unduly cramped and incongruous feature. This harm would not be overcome through the imposition of conditions relating to planting, boundary treatment and levels.
7. As such, I conclude that the proposed development would adversely affect the character and appearance of the area contrary to Policy CS2 of the Blaby District Local Plan (Core Strategy) (2013) (CS); Policy DM1 of the Blaby District Local Plan (2019) (LP) and Policy FV6 of the Fosse Villages Neighbourhood Plan (2018) (NP) which, amongst other things, require new development to respect distinctive local character; to contribute to creating places of a high architectural and urban design quality and improve the design quality of all new developments in the District.

Living conditions for future occupiers

8. I note from the submitted plans the usable garden area would be located to the side of the proposed dwelling.
9. The position, height and proximity of the building and the boundary treatment would create a sense of enclosure and would overshadow the garden area resulting in an unduly oppressive outdoor space, despite it being private. This close spatial relationship would result in an oppressive environment for future occupiers.
10. The area to the front would be sited next to the pavement and would also include the parking area for the property. There would be inadequate screening failing to provide a private and secure space. This contrived arrangement would result in a poor quality amenity area. This would not be suitable for future occupiers resulting in an uninviting and impractical environment that would be inadequate for occupiers.
11. I conclude that the proposed development would not provide satisfactory living conditions for future occupiers contrary to CS Policy CS2; LP Policy DM1 and NP Policy FV6 which, amongst other things, seek high quality design.

Other Matters

12. Whilst no objections have been expressed in relation to the living conditions of existing residents and highway safety this does not overcome my concerns in relation to the main issues.

Conclusion

13. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR