



Appeal Decision

Site visit made on 31 January 2023

by S Crossen BA (Hons) PgCert PgDip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/W2465/D/22/3307926

41 Duncombe Road, Leicester City, Leicester LE3 9EP

- 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 Patel against the decision of Leicester City Council.
 - The application Ref 20220910, dated 28 April 2022, was refused by notice dated 15 July 2022.
 - The development proposed is described as “single storey side and rear extension to form larger living/ family/ dining room plus other minor internal modifications.”
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Decision

1. The appeal is allowed, and planning permission is granted for “single storey side and rear extension to form larger living/ family/ dining room plus other minor internal modifications” at 41 Duncombe Road, Leicester City, Leicester LE3 9EP in accordance with the terms of the application, Ref 20220910, dated 29 April 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PAT-PA-200, PAT-PA-Perspective 1, PAT-PA-Perspective 2, PAT-PA-Perspective 3, PAT-PA-Perspective 4, PAT-PA-Perspective 5, PAT-PA-Perspective 6.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the building and surrounding area.

Reasons

3. The appeal house is the end of a row of four modern, large, detached properties which are individually styled with front feature gables, mono-pitch roofs, gable main roofs and catslide roofs. The elevation materials are predominantly red brick, but with one house part finished with wood and render cladding, a similar styled house is also present adjacent the appeal house and other houses nearby are finished in yellow brick. The roof tiles between houses in the same row also differ in style and colour.
4. The side boundary to the footpath is defined by a tall brick wall which extends partway along the side elevation of the appeal house, meeting the chimney breast, and which partly obscures a higher wooden shed built between this boundary and the house. A similar relationship exists at the other end property of this row, but here the side elevation of the house is built up to the back of the footpath with a similar boundary brick wall extending in line from the rear

corner. At my site visit I could see a mix of boundary treatments to private gardens, solid walls, hedges and wooden close boarded fence panels.

5. The layout includes the side extension meeting the back of the footpath and would be the same as the other end house of this row. The side elevations of both end houses already project forward of houses at the rear which is part of the streetscene and the original layout. The single storey extension would therefore respect the existing relationship between this row of houses and the building line of the houses to the rear so would not result in any harm and accords with the Supplementary Planning Document Residential Amenity (SPD) appendix G.
6. Very little of the side elevation of the proposal would be seen from the public realm due to the retention of most of the side boundary wall. The elevation wooden panelling would be a similar material used in the existing shed which would be removed, can already be seen from the public realm, and like other nearby boundary treatments and some house facades, so the material would be consistent with those other designs.
7. The rear elevation would be predominantly glazed, which would help to break the mass of the rear gable, it is single storey and within the rear private garden, so for these reasons would have little effect on the character of the area. The design with its distinctive elevation panels and glazing would preserve the individual styling of this row of houses, which help reflect the sense of place.
8. Taking the above matters into consideration, I conclude that the development would not have an adverse effect on the character and appearance of the area. It therefore accords with CS Policy 3 of the Leicester City Local Development Framework, Core Strategy, adopted July 2014 and paragraphs 130 and 134 of the National Planning Policy Framework and the guidance within the SPD. These seek to ensure, amongst other things, that development responds positively to its surroundings, and is appropriate to the local setting and context.

Conditions

9. In addition to the standard time limit, I have imposed a condition specifying the approved plans as this provides certainty.

Conclusion

10. For the reasons given above, having regard to the development plan as a whole and all matters raised, I conclude that the appeal should be allowed.

S Crossen

INSPECTOR