



Appeal Decision

Site visit made on 31 January 2023

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2023

Appeal Ref: APP/X2410/D/22/3309026

39 Saxon Drive, Rothley, Leicestershire LE7 7SR

- 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 Miss Kylie Wesson against the decision of Charnwood Borough Council.
 - The application Ref P/22/1216/2, dated 30 June 2022, was refused by notice dated 9 September 2022.
 - The development proposed is a loft conversion with rear dormer.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. 39 Saxon Drive is located in a modern estate which contains predominantly two-storey dwellings of similar style and design. The rooflines of the properties nearby are mostly free from dormers and have a similar, consistent appearance which creates a sense of symmetry.
4. No.39 is located off a corner and is set back from the road at a different orientation to the rest of the houses. The appeal site is bordered on one side with an open area of green space and immediately behind is a trackway lined with trees and hedges. There is also a path to the side which leads to a neighbouring and similar housing estate as well as a school.
5. The proposal would occupy much of the width of the rear roof slope and would project by over 2 metres. It would therefore, by virtue of its overall size, overwhelm the property and appear as a bulky feature on the roofline. The rear of No.39 is particularly visible from the track to the rear as well as Burrow Drive, which may not be a main road however it will likely be well used by those travelling to the school and dwellings on the estate. Views of the side of dormer would also be possible from the end of Saxon Drive due to the gradual incline of the road. As a result, the dormer would be visible in public views and would appear as a prominent feature from both the rear and side of No.39.
6. In coming to this view, I have taken into account that the area is said to not be particularly special and that the proposed dormer, which would be on the relatively blank rear elevation of the property, which was not necessarily

designed with dual frontages, and would not of itself change the characteristics of Barrow Drive. That dormers are generally accepted in residential areas and there is often flexibility for installing such features under permitted development rights do also not lead me to a different conclusion.

7. The proposed finish of the dormer is shown to be a mixture of grey aluminium, silver birch and zinc cladding and include large windows with aluminium frames with the materials used being of high quality. However, these materials do not match those contained within the existing dwelling and as such would further result in the rear dormer standing out. The simplicity of the design and vertical emphasis of the proposed dormer do not lead me to a different conclusion.
8. I note the proposal is designed to be different by an award-winning architectural practise with the intention of creating a contrasting focal point and drawing attention. The proposal would however, for the reasons I have outlined, create a feature that appears incongruous and would erode the symmetry of the area.
9. There is some screening to the rear of No.39 by means of the hedge and tree lined track. However, it does not extend up to the roof of No.39 and as such the proposal would not be sufficiently screened. The submitted visualisations confirm that the proposal would, despite existing soft landscaping, be visible from a number of vantage points.
10. As a result, due to the scale, mass and design of the dormer, it would appear as an incongruous feature which would cause harm to the character and appearance of the area. I therefore find that the proposal would be contrary to Policy CS2 of the Charnwood Local Plan 2011 to 2028 Core Strategy (2015), Policies EV/1 and H/17 of the Borough of Charnwood Local Plan 1991-2006 (2004), the Design Supplementary Planning Document (2020) and Policy R03 of the Rothley Parish Neighbourhood Plan 2020-2028 (2021). Amongst other things seeks to ensure development would not result in harm to the character and appearance of the area and is of compatible design with the original dwelling. It would also conflict with the design objectives of the Framework.

Other Matters

11. I have no reason to conclude against the Council's assessment that the proposed Juliet balcony and rooflights would be acceptable aspects of the scheme. However, these are neutral factors and do not indicate that the development is acceptable overall.
12. I note the roof space is currently underused, more family space is needed, and that passive surveillance would be reinforced. However, these benefits do not outweigh the harm I have identified. I have also had regard to the appellant's suggestion that a dormer is the only technical solution to provide more living space, due to the steeply pitched roof slopes. I have however not been provided with substantive evidence to suggest that this is the only solution and, in any case, it would not outweigh the harm to the character and appearance to the area I have identified.
13. Whilst no objections were received by the Parish Council and neighbours this is not in itself a reason to grant planning permission.

Conclusion

14. For the reasons set out above, having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR