



Appeal Decision

Site visit made on 9 February 2023

by Chris Forreth BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2023

Appeal Ref: APP/L2440/D/22/3303734

78 Saffron Road, Wigston, Leicestershire LE18 4UN

- 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 Leigh Redpath against the decision of Oadby and Wigston Borough Council.
 - The application Ref 22/00020/FUL, dated 13 January 2022, was refused by notice dated 27 May 2022.
 - The development proposed is the construction of proposed loft conversion; one rooflight at front; wraparound box dormer extension at rear and side; alterations to house (Class C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal proposal was originally described as a 'proposed loft conversion with rear dormer'. However, the description of the proposal on the Council's decision notice is more detailed and I note that this has also been utilised on the appellant appeal form. Given that the revised description reflects the proposal before me, and for consistency with the Council's decision notice, I have utilised this description for the purposes of the appeal.

Main Issue

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

Reasons

4. The appeal site is located on the east side of Saffron Road which is dominated by residential properties. However, there are some commercial premises opposite the site. The appeal site itself is one half of a semi-detached hipped-roof building which has been previously extended to the front, side and rear at ground floor level, together with a small first floor element to the side with a hipped roof. The appeal proposal would add a box dormer window to the rear and side, together with a mono-pitched element to the side facing the front of the property.
5. The dormer would be a substantial addition to the roof of the property and would significantly increase the massing of the building when viewed from the rear. Given the overall size and bulk of the dormer, it would dominate the roofslope of the host building which would detract from its simple form. In that

sense, it would not respect the original roof form or the character of the host building.

6. This harm is further exacerbated by the wrap round element to the side which further adds to its bulk and dominant appearance to the detriment of the character of the host dwelling and the wider streetscene.
7. In coming to that view, I acknowledge that there are dormer windows on some properties to the rear of the site on Kent Crescent which I saw at my site visit. However, these were significantly different in terms of scale and massing and to my mind do not provide for a compelling reason to grant planning permission for an otherwise unacceptable development. Moreover, each case must be decided upon its own merits.
8. For the above reasons the proposal would harm the character and appearance of the host dwelling and the wider streetscene contrary to Policy 6 of the Borough of Oadby and Wigston Local Plan 2011-2031 (2019) which, amongst other matters, seeks the highest standard of design which respect the existing local character of an area and that development is sympathetic to its surroundings. It would also be at odds with the guidance contained in the Residential Supplementary Planning Document (2019) which seeks to ensure that loft conversions/dormer windows are not an over-dominant feature within the roof.

Other Matters

9. The appellant has set out that a Certificate of Lawful Development was originally applied for a proposal which met the 50 cubic metre 'permitted development' criteria. Whilst there is some confusion on whether this was withdrawn or refused, this appeal relates to an application for planning permission and as such the Certificate of Lawful Development proposal is not particularly relevant to the proposal before me.
10. That said, the plans submitted with this appeal indicate that the proposal, when considered cumulatively with the roof element of the existing extensions, would be 51.86 cubic metres in size. The Council consider that the cumulative figure would be 75.18 cubic metres. In any case, and regardless of which figure is correct, the proposal would be in excess of the permitted development allowance.
11. Notwithstanding that, and although not specifically advanced as a fallback option, it is possible that some form of roof alterations could take place without express planning permission. However, given that it is not clear what that could be, or whether it would be in a similar form to the proposal before me, I can give this very limited positive weight in my decision.

Conclusion

12. For the reasons given above I conclude that the development conflicts with the development plan taken as a whole and there are no other considerations, that outweigh this conflict. The appeal is therefore dismissed.

Chris Forrett

INSPECTOR