



Appeal Decision

Site visit made on 15 March 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 April 2023

Appeal Ref: APP/X2410/D/22/3313884

4 Bramley Road, Birstall, Leicestershire, LE4 4FG

- 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 M Johal against the decision of Charnwood Borough Council.
 - The application Ref P/22/1083/2, dated 8 June 2022, was refused by notice dated 2 December 2022.
 - The development proposed is a double storey side extension, single-storey side and rear extension, internal alterations and roof alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the impact of the proposal on the living conditions of the occupants of number 6 Bramley Road (number 6); and whether the proposal would have an unacceptable impact on highway safety.

Reasons

Living Conditions

3. The appeal property is a semi-detached dwelling, which is situated in a residential area. Bramley Road is characterised by two-storey semi-detached houses, which vary in their age and appearance. Some of the dwellings have been altered and extended and I noticed at my site visit that an extension similar to the appeal proposal has been constructed at number 5 on the opposite side of Bramley Road. However, I have determined the appeal on its individual merits.
4. The proposal is as described on the banner heading above. The Council contends that the proposal would have an adverse impact on the side facing kitchen window of the neighbouring dwelling, number 6. It argues that the side wall of the extension would restrict natural light and would overbear to the detriment of the living conditions of the occupants.
5. Policy CS2 of the adopted Charnwood Local Plan Core Strategy 2011-2028 seeks (amongst other things) to ensure that new developments protect the amenity of people who live nearby. This is also a requirement of Saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan 1991-2006. Furthermore, the Council's Supplementary Planning Document – Design 2020,

comments that house extensions can impact on the daylight and sunlight of neighbours.

6. The kitchen window at number 6 already faces the existing side boundary wall and the two-storey wall of the appeal dwelling itself. However, the proposed extension(s) would be constructed up to the shared side boundary of the property and I consider that the two-storey element of the extension would have an unacceptably overbearing impact on the outlook from the kitchen window at number 6. The extension would also be positioned to the south of number 6 and I consider that there would also be some reduction in the amount of natural light to the kitchen.
7. For the above reason, I conclude on this issue that the proposal would conflict with the policies of the Development Plan, as referred to above.

Highway Safety

8. The proposal would lead to reduction in the length of part of the existing driveway at the property. The Council states that this coupled with the increase in the number of bedrooms would increase the demand for parking and result in increased on-street parking along Bramley Road.
9. Saved Policy TR/18 of the Local Plan seeks to ensure that new developments provide adequate vehicle parking in the interests of highway safety and amenity. In this case, the extended dwelling would require 3 off-road parking spaces. Whether 3 off-street spaces could be provided is debateable, as much depends on the make and model of the cars. Having said that, I am doubtful that adequate off-street parking could be satisfactorily accommodated on the site frontage and there would be likelihood of vehicles being parked on the highway.
10. I observed during my site visit that on-street parking space is limited, much of which is due to the relatively wide dropped kerbs at the front of some of the dwellings. Nevertheless, on-street space is available at the front of the appeal dwelling and I am not persuaded that this would have an unacceptable impact on highway safety nor would it be unacceptably harmful to the amenities of other households. Consequently, I do not find against the proposal on this issue.

Conclusion

11. For the reasons given above with regard to the impact on the living conditions of the occupants of number 6, the appeal is dismissed.

Ian McHugh

INSPECTOR

