



Appeal Decision

Site visit made on 15 March 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 April 2023

Appeal Ref: APP/W2465/D/23/3314140

4 Ormen Green, Leicester, LE3 6NS

- 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 J Karavadra against the decision of Leicester City Council.
 - The application Ref 20221615, dated 11 August 2022, was refused by notice dated 16 December 2022.
 - The development proposed is demolition of garage and outbuilding at side, construction of two-storey extension at side, single-storey extension at rear.
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Decision

1. The appeal is dismissed insofar as it relates to the two-storey extension at side. The appeal is allowed insofar as it relates to the demolition of garage and outbuilding at side and single storey rear extension at rear and planning permission is granted for the demolition of garage and outbuilding at side and single storey rear extension at rear at 4 Ormen Green, Leicester, LE3 6NS in accordance with the terms of the application, Ref 20221615, dated 11 August 2022, so far as relevant to that part of the development hereby permitted subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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, insofar as they relate to the single-storey rear extension only: Location Plan 476SD03; Existing Site Plan – 476SD02; Existing Plans and Elevations – 476SD01 rev B; Proposed Floor Plans – 476SK01 rev C; Roof Plans – 476SK03; and Proposed Elevations – 476SK02 rev C.
 - 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the streetscene and whether the proposal would provide satisfactory living conditions of the occupants of the appeal dwelling.

Reasons

Character and Appearance

3. The appeal property is a two-storey semi-detached dwelling, which is situated in a residential area. The dwelling occupies a prominent position on a corner plot. Despite the garage and outbuilding, there is a spacious character and appearance to this part of the streetscene.
4. The proposal is to demolish the existing garage and single-storey outbuilding and construct a two-storey side extension with hipped roof. A flat-roofed single-storey extension would be built at the rear. The front wall of the two-storey addition would be constructed almost in line with the existing front wall of the dwelling. The rear extension would project just over 3m from the rear wall of the existing building and would cover the width of the existing property. Consequently, it could be built independently of the two-storey addition.
5. Policy CS03 of the Council's adopted Core Strategy seeks to ensure that new developments contribute positively to the character and appearance of the area. I consider that this policy accords with Paragraph 130 of the National Planning Policy Framework 2021(The Framework), which requires (amongst other things) high quality development and a high standard of amenity.
6. The proposed single-storey extension would not be visible from the public domain and it would not be harmful to the character and appearance of the area. However, the two-storey side extension would be a relatively large structure when compared to the original dwelling and its overall scale and bulk would be detrimental to the spacious appearance of the site and the streetscene. The lack of any meaningful set-back from the front wall of the existing dwelling would exacerbate its dominant scale and appearance.
7. In reaching my decision, I viewed the extensions that have been constructed at number 6 Ormen Green. However, I am not persuaded that these are comparable, because number 6 is less prominent in the streetscene and the extensions have been set-back from the original dwelling.

Living Conditions

8. The Council states that the rear bedroom of the proposed two-storey extension would not provide adequate levels of natural light and it would have a poor outlook. It argues that the proposal would conflict with Saved Policy PS10 of the City of Leicester Local Plan, which generally seeks to ensure that residents are provided with a quality living environment.
9. The proposed window would be on the east facing side elevation of the extension. It would overlook an area of open space and I consider that it would be large enough to provide adequate light and ventilation to the bedroom. I also note that the appellant states that the window area is larger than that required by the Building Regulations. Consequently, I conclude that the proposal would provide an adequate level of amenity for the occupants of the extension and it would not conflict with Policy PS10 of the Local Plan.

Conditions

10. The Council has suggested conditions in the event of the appeal being allowed. The conditions, which comprise the standard 3 year period in which to

commence the development; the listing of the approved plans; and the requirement for external facing materials to match the existing dwelling, relate to the single-storey extension only.

Conclusion

11. For the reasons given above, I conclude that the appeal is allowed in relation to the demolition of the existing garage and outbuilding and the erection of a single-storey rear extension. Regarding the proposed two-storey side extension, the appeal is dismissed.

Ian McHugh

INSPECTOR