



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/F2415/D/23/3314680

Parana, Oakham Road, Tilton on the Hill, Leicestershire, LE7 9DJ

- 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 Ray Brightwell against the decision of Harborough District Council.
 - The application Ref 22/01637/FUL, dated 6 September 2022, was refused by notice dated 2 December 2022.
 - The development proposed is the erection of two-storey front, side and rear extensions, single-storey front extension, rear balcony and loft conversion.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are, the effect of the proposal on the character and appearance of the existing dwelling and the streetscene; and the effect of the proposal on the living conditions of the occupants of neighbouring dwellings, with regard to privacy.

Reasons

Character and Appearance

3. The appeal property is a two-storey detached dwelling, which is situated within a row of ribbon development on Oakham Road. It lies beyond the built-up area of the settlement and backs onto open countryside. Other houses along this stretch of Oakham Road vary in terms of their age, scale and appearance. However, a feature and characteristic of the appeal dwelling and those on either side is that the properties are well setback from the road, providing a spacious appearance to this part of the streetscene
4. At the time of my site visit, the appeal dwelling was being renovated and the front and rear garden areas had largely been cleared. Boundary walls along the driveway and in the rear garden area were in the process of being constructed.
5. The proposal, which has been amended since it was originally submitted to the Council, is as described in the banner heading above. The original proposal was amended mainly by removing a detached garage from the front garden, a reduction in the two-storey side extension, changes to the roof pitch and eaves height and the removal of two front facing dormers.

6. Notwithstanding these amendments, the Council maintains that the proposal would have an adverse effect on the character and appearance of the existing dwelling and on the streetscene. It contends that the dwelling would be unbalanced largely by the extent of the projecting garage.
7. Policy GD8 of the Harborough Local Plan 2011-2031 (LP) seeks to achieve good design in all new development. In particular, the policy states (amongst other things) that development should respect the context and characteristics of the site, streetscene and the wider environment. This accords with paragraph 130 of the National Planning Policy Framework 2021. In addition, the Council's Development Management Supplementary Planning Document 2021 (SPD) states that garages in highly prominent locations which sit in front of the building line will not be accepted (paragraph 6.78).
8. Although the dwellings along Oakham Road vary in scale and appearance, I am not persuaded that the appeal proposal would accord with the provisions of the Council's Local Plan and SPD. Whilst most aspects of the proposal are acceptable in its design and appearance, I consider that the projecting front facing garage would appear as a discordant and incongruous feature that would be harmful to the appearance of both the dwelling and the streetscene. In reaching my decision, I have noted that a two-storey extension at the neighbouring property, High Meadow, also projects out towards Oakham Road. However, the proposed garage at the appeal property would be further forward and, in that regard, it would be more prominent.

Living Conditions

9. Policy GD8 of the LP also requires new development to have a minimal impact on the amenity of existing and future residents. In particular, it should not have an adverse effect through loss of privacy, overshadowing or overbearing. The Council's SPD reinforces this and provides detailed guidance on the design of extensions to ensure that the living conditions of neighbouring occupants are not adversely affected.
10. The Council officer's report provides a detailed assessment on the impact of the appeal proposal on the neighbouring properties at High Meadow and Sunnycroft. I agree that in terms of overbearing and natural light that there will be little, if any, impact.
11. With regard to privacy, the proposal shows two large floor to ceiling windows, with a recessed balcony in between, on the first-floor rear elevation. These would provide extensive views over the countryside at the rear of the property. However, the windows would also provide clear views over the rear garden areas of the neighbouring dwellings. I consider that the impact on High Meadow would be significantly greater, as the physical relationship between the appeal property and Sunnyside is different in terms of the distance to the boundary and because the private patio area of Sunnyside would be largely behind the rear wall of the proposed extension. That is not the case with High Meadow.
12. I have noted that existing first floor windows on the rear of the appeal property already overlook the neighbouring gardens, but these are much smaller and threat to the privacy of neighbours is substantially less. I have also noted that there is a large door/window that leads out onto an open balcony at the rear of High Meadow. Whilst that door/window and balcony pose a threat to the

privacy of the occupants of the appeal property, I do not agree that it should create a precedent for development that would be harmful.

13. Therefore, I conclude on this issue that the proposal would result in an unacceptable increase in the threat to the privacy of the occupants of High Meadow and that it would conflict with Policy GD8 of the LP and with the guidance contained in the SPD.

Conclusion

14. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR