



Appeal Decision

Site visit made on 20 April 2023

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th April 2023

Appeal Ref: APP/L2440/D/23/3314346

53 Hidcote Road, Oadby, LEICESTER, LE2 5PH

- 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 and Mrs Mahesh Pankhania against the decision of Oadby and Wigston Borough Council.
 - The application Ref 22/00395/FUL, dated 6 October 2022, was refused by notice dated 23 November 2022.
 - The development proposed is described as the construction of a single-storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed extension on the character and appearance of the area around the Hidcote Road, Orchard Close and Badgers Holt.

Reasons

3. No 53 Hidcote Road is a detached bungalow on a corner plot at the junction of Hidcote Road with Orchard Close. The front of the property is largely paved and there is a wooden fence to the side and part of the front that is approximately 1.5 metres high with a small trellis above. There is a detached garage to the rear, with access from Orchard Close. The proposed extension would be to the south-eastern side of the existing bungalow. It would continue the roof line and hipped roof design. It would project from the existing side elevation almost to the side boundary with Orchard Close, and would be set back from the existing front elevation by a small amount.
4. Policy 6 of the Council's Local Plan (LP) indicates that proposals for new development must create a distinctive environment by, amongst other things, respecting the existing local and historic character. Policy 44 of the LP indicates that a development proposal will only be permitted where it is in keeping with the area in which it is situated.
5. Paragraphs 3.13 and 3.14 of the Council's Residential Development Supplementary Planning Document (SPD) indicate that side extensions to existing residential dwellings situated on corner plots effectively become front extensions and ultimately can have a major impact upon the appearance of the street scene. For this reason they are deemed unacceptable, unless exceptional

circumstances dictate otherwise. Furthermore, existing building lines of development should be respected in all instances, or if not clearly defined, then a projecting side extension may be acceptable if it would not have a detrimental impact on the street scene or locally distinctive character.

6. The Council contends that the proposed extension, by virtue of its design, size, scale, bulk and massing, would create an obtrusive, overly dominant addition that unbalances the property by way of its siting in relation to the streetscene. As such the proposed works would result in an incongruous corner feature out of keeping with the existing and neighbouring dwellings. Furthermore, the development would significantly narrow the existing streetscape visually resulting in an unduly prominent and intrusive corner feature that would harm the existing local character and surrounding amenity.
7. The appellants contend that the appeal property has had an almost identical extension approved by the Council in Sept 2022 (planning reference 22/00202/FUL), and that the proposal would extend out only 1 metre more than that of the previously approved design. In addition, No 82 Hidcote Road, which is on a corner plot opposite to the appeal property, has an extension extending to the same point on the boundary as that of the proposal at No 53, and the current proposal would, therefore, not be out of character.
8. The area around the appeal site is characterised largely by two-storey houses, although Nos 51 and 53 are bungalows and Orchard Close also comprises bungalows. Of the corner plots, No 55 has a single-storey side garage that is set between 2 and 3 metres away from the side boundary with Orchard Close. No 80 has no side extension and the house is set back some 3 metres from the side boundary with Badgers Holt. No 82 has a small side extension that is set close to the side boundary with Badgers Holt at the front, but with a gap widening to over 2 metres at the rear. It would appear that this extension was granted permission in 1992 when different policies and guidance applied, and it should not, therefore, be considered as a precedent for the current proposal.
9. The extension at No 53 would be less than 0.5 metres from the side boundary with Orchard Close at the front, widening to only a little over 1 metre at the rear. On this basis, it would be noticeably closer to the side boundary than the houses on the other three corner plots. By virtue of this proximity to the boundary, the dwelling would appear somewhat cramped on its plot, and out of character in the context of the street scene around the junctions.
10. The existing south-eastern side elevation of the bungalow would appear to be level with the building line formed by the front of its garage at the rear, and a little behind the front elevation of the bungalow at No 15 Orchard Close at the rear. The proposed extension would bring the side elevation of the bungalow well in front of the approximate building line of the garage and No 15 at the rear, and this would accentuate the prominence of the extended dwelling in the street scene, detrimental to the generally more open feel of the properties around the road junctions.
11. The previously permitted extension at No 53 would be set away from the side boundary by over 1 metre further than the current proposal and this would, therefore, be a less intrusive feature, with a lesser impact on the street scene and the approximate building line formed by the buildings behind.

12. In conclusion, I find that the proposed extension would be harmful to the character and appearance of the area around Hidcote Road, Orchard Close and Badgers Holt. On this basis, it would conflict with Policies 6 and 44 of the LP, and with guidance on side extensions to properties on corner plots as contained in the SPD. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR