



Appeal Decision

Site visit made on 11 July 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2023

Appeal Ref: APP/F2415/D/23/3321959

14 Dalby Avenue, Bushby, Leicestershire LE7 9RD

- 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 Karan Patel against the decision of Harborough District Council.
 - The application Ref 23/00160/FUL dated 27 January 2023, was refused by notice dated 17 March 2023.
 - The development proposed is erection of gates.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council changed the description of development from that stated on the application form in the interests of clarity. I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted the amended description in the heading above.
3. At the time of my site visit, the development was in place. The application form made clear that the scheme had been submitted retrospectively and I have dealt with the appeal on that basis.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area in general.

Reasons

5. The site is a large, detached property in a predominantly residential area. A driveway and garden are situated to the front of the property with a mature hedge along the front boundary. Dalby Avenue has a verdant character with trees lining the street and wide verges between the road and footpath. The area is characterised by large properties some of which have been extended or demolished and rebuilt.
6. The gates when open are not obvious in the streetscene due to being screened to a degree by the existing hedge. When closed they would retain views into the site due to the gates not being of a solid form. Notwithstanding this, the span of the sliding gates is considerable and would be obvious in the

streetscene. The metal powder coated grey finish of the gates is not a common feature in the area.

7. The majority of properties in the area do not have gates, however during my site visit I observed that those which had gates were predominantly five bar timber gates. I also observed that front boundaries do differ in the area, most have verdant boundaries however some had low boundary walls. Nonetheless, due to the scale, design and materials the gates are incongruous in the streetscene.
8. I conclude that the proposed development would harm the character and appearance of the existing property and area in general. There is conflict with Policy GD8 of the Harborough Local Plan 2011 to 2031 (2019) which amongst other things seek to ensure developments are of high quality design which respects the surrounding area.
9. There is conflict with the Development Management Supplementary Planning Document (SPD) (2021) which seeks to ensure new boundary treatments reflect the landscape character of the area.

Other Matters

10. The Appellant contends that the proposed development would reduce the opportunity for crime, I not persuaded that this is the only type of gate which would enhance safety and security at the site and therefore I give this limited weight.
11. The Appellant highlights that the positioning of the gates complies with highway requirements, this maybe the case however it does not outweigh the harm I have identified in terms of character and appearance of the area.

Conclusion

12. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR