



Appeal Decision

Site visit made on 29 August 2023

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03.10.2023

Appeal Ref: APP/F2415/D/23/3325299

1 Burton Close, Lutterworth, Leicestershire LE17 4FJ

- 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 Karl Anderson against the decision of Harborough District Council.
 - The application Ref 23/00316/FUL, dated 23 February 2023, was refused by notice dated 21 April 2023.
 - The development proposed is erection of a first floor extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the description of development as it appears on the decision notice and the appeal form as it accurately describes the development proposed.

Main Issues

3. The main issues are:
 - The effect on the character and appearance of the area.
 - The effect on the living conditions of neighbouring occupiers with regards outlook and light.

Reasons

Character and Appearance

4. The appeal site is a 2 storey detached house with attached pitched roof garage to the front of the property, prominently located at the entrance to Burton Close. Adjacent to the site is a split level dwelling, No 31, fronting onto Orange Hill which sits on lower land than the neighbouring property in Burton Close. The 2 dwellings are in close proximity. Opposite the site, No 7 Burton Close has a 2 storey element adjacent to the road.
5. The scale and massing of the proposal in a prominent location would have a dominating, enclosing effect visually narrowing the entrance to the road. The impact would be compounded by the 2 storey element at No 7, the presence of which does not weigh in favour of the scheme. The proposed materials to match the existing dwelling would not overcome the harm.

6. The appellant has referred to other street facing 2 storey side developments in support of their case. However, they are in different locations where the circumstances are different which limits the weight I attach to them.
7. The development would harm the character and appearance of the area. As such it would conflict with the part of Policy GD8 of the Harborough Local Plan 2011-2031 (Local Plan) which requires new development to respect the context and characteristics of the site, street scene and wider local environment.

Living Conditions

8. The proposed 2 storey addition would sit close to the boundary with No 31 Orange Hill. The height, scale and massing of the development in close proximity would have an overbearing effect on the neighbouring occupiers, exacerbated by the differing ground levels. Whilst the effect would be less in winter, the appellants evidence identifies that development would cause overshadowing for a significant proportion of the morning during summer. The loss of light and overshadowing would be unacceptable, particularly when considered in conjunction with the overbearing impact of the scheme.
9. The development would harm the living conditions of neighbouring occupants with regards outlook and light. As such it would conflict with the part of Policy GD8 of the Local Plan which requires new development to minimise the impact on the amenity of existing residents by not having a significant adverse effect through overshadowing or overbearing impact.

Other Matters

10. Whilst the development would create some economic gain during construction and occupation, the small scale of the development limits the weight I attach to this. The appellant says that the development would not impact on the surrounding trees or ecology. Be that as it may, it is a neutral consideration rather than a benefit of the development.
11. I note the reasons for the planning application but the benefits to the occupant are outweighed by the harm I have identified.

Conclusion

12. For the reasons identified and taking into account all other matters, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR