



Appeal Decision

Site visit made on 6 February 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2024

Appeal Ref: APP/W2465/W/23/3330086

42 Hampshire Road, Leicester LE2 8HF

- 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 Pete Silke against the decision of Leicester City Council.
 - The application Ref 20230752, dated 29 May 2023, was refused by notice dated 31 July 2023.
 - The development proposed is retrospective planning for application no 20161613 construction of one two storey dwellinghouse with dormers at front (1x3 bed) (class c3) (amended plans received 21/11/2016).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In December 2023 a revised National Planning Policy Framework (the Framework) was published. However, in respect of the main issues for consideration in this appeal, the revised Framework has not changed Government Policy and so the cases for the appeal parties have not been prejudiced. I shall consider the appeal accordingly. In respect of the paragraphs submitted that are no longer correct, I have considered the most relevant paragraph in the current Framework.
3. At the time of my site visit, I saw that the development, apart from the porch, was substantially complete and I have dealt with the appeal on that basis.

Main Issue

4. The effect of the proposed development on the character and appearance of the area and host dwelling.

Reasons

5. No 42 Hampshire Road is a detached two storey dwelling that is sited within a narrow plot. The wider area is predominantly residential and dwellings opposite the appeal site, are mostly terraced and have a similar design and appearance to each other which results in a symmetry and rhythm within the street scene.
6. The Council state that the appeal site was previously granted planning permission¹ for a new dwelling. However, the dwelling in situ was not constructed in accordance with the approved plans and has resulted in a reduction in overall height, width and has also been designed differently with

¹ 20161613

the two dormers, windows and doors being in different positions. A proposed porch and stone window cills have also not been installed.

7. Dormers are not common in the area, but I acknowledge that the provision of these have been accepted by the Council through the previous application.
8. The two dormers that have been constructed take up a large proportion of the roof slope through their overall height, width and sitting that extends towards the eaves. While I acknowledge that the changes from the previous approval may be minor, the result is that the dormers are out of proportion with the rest of the host dwelling. They are the dominant features within the street scene and therefore stand out as incongruous and unsympathetic features.
9. The windows do not have any cills which the Council consider to be poor design. However, window cills are not common features within the street scene and therefore the absence of these does not harm the appearance of the host dwelling or symmetry and rhythm within the street scene.
10. Notwithstanding my findings on the window cills, I conclude that the proposal would harm the character and appearance of the area and host dwelling. It would be contrary to Policy CS03 of the Leicester City local development framework Core Strategy adopted July 2014 and Paragraphs 131 and 139 of the National Planning Policy Framework (the Framework). Amongst other things, these seek to ensure high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment.

Other Matters

11. I note the appellant's willingness to construct the proposed porch. However, this would not outweigh the harm I have found.
12. The appellant has referenced planning permission² in an attempt to support the appeal proposal. I have not been provided with enough information to compare this application to the appeal proposal before me, in any case, each case must be considered on its own merits.
13. The Council raise concern that the design of the dwelling has been diminished from the previous approval. I also note that Paragraph 140 of the Framework states that Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion. However, I am only in a position to consider the planning merits of the appeal proposal before me, which I have done in this case.

Conclusion

14. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR

² 20080515