

Appeal Decision

Site visit made on 19 March 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH April 2024

Appeal Ref: APP/T2405/D/23/3331667

26A, Sharnford Road, Sapcote, Leicestershire, LE9 4JN

- 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 Terence Cross against the decision of Blaby District Council.
 - The application Ref 23/0223/HH, dated 6 June 2023, was refused by notice dated 31 July 2023.
 - The development proposed is erecting a 5M x 6M timber type kit – free standing car port.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Procedural Matter

3. The appellant states that the Council has not acted in a positive and productive manner based on seeking solutions to problems. This is a matter between the appellant and the Council.

Reasons

4. The appeal property is a single storey detached dwelling. It is set well back from Sharnford Road behind a tall wall and fence, which itself is separated from the pavement and road by a grass verge.
 5. There is a substantial garden area between the dwelling and the appeal property's front boundary. This contains a single storey detached garage, set back from the entrance to the appeal property. At the time of my visit, this front area also contained various materials and paraphernalia and to some degree, had the appearance of a builder's yard.
 6. The appeal property is located in a residential area. Houses are largely two stories in height and include a range of dwelling types, including detached, semi-detached and terraced houses.
 7. The presence of grass verges on both sides of the road, extending southwards from the appeal site, together with the presence of public open space, front
-

gardens and occasional street trees, provides for a pleasantly green environment. Further, during my site visit, I observed that the setting back of dwellings behind gardens and the presence of parking areas, grass verges and pavements results in a notably open and spacious character and lends a predominantly uncluttered quality to the area's appearance.

8. Beyond the appeal site to the north, a terraced row of two storey cottages steps forward, much closer to the road and separated from it by only a pavement, low stone wall and narrow front gardens. These cottages, the "Calver Hill Cottages," are non-designated heritage assets, notable for their stone and slate materials and traditional form.
9. During my site visit, I noted that the wide and spacious character of Sharnford Road to the south provides for some distant views of the Calver Hill Cottages. The appeal property is set back from these cottages and the proposed development would not interfere to any significant degree with these distant views of the cottages due in part to the presence of trees in a neighbouring garden.
10. Whilst the appeal property has a garage in front of the dwelling, this is set back from the property's gated entrance and front boundary wall and does not appear unduly intrusive in a street scene notable for its sense of spaciousness and for the general absence of buildings to the front of dwellings. A recent planning permission¹ allows for this garage to increase in size, but it would still remain stepped well back from the site's front boundary.
11. The proposed development would comprise a large, tall double car port. It would be located immediately adjacent to the appeal property's front boundary wall. Due to its height and overall dimensions, the proposal would rise above the property's boundary wall and fence adjacent to the grass verge and pavement. In so doing, I find that it would loom above the boundary wall and draw attention to itself as a prominent and incongruous feature within a green and spacious corridor notable for its general absence of buildings.
12. The harm arising by way of incongruity would be exacerbated by the appearance of the proposal. During my site visit, I noted that along this part of Sharnford Road there are no timber structures with tall, pitched roofs situated in prominent locations similar to the development proposed. Consequently, the proposal would appear out of keeping with its surroundings.
13. In addition to the above, I am also mindful that the proposal would be situated close to an existing garage, which itself has permission to be extended. I find that together, the proposed development and the existing garage (enlarged or not) would result in an unduly cluttered appearance, in contrast to the wider area's uncluttered and spacious qualities.
14. Taking all of the above into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Blaby District Local Plan (Delivery) Development Plan Document (2019) Policies DM1 and DM12; to Blaby District Local Plan (Core Strategy) Development Plan Document (2013) Policies CS2 and CS20;

¹ Reference: 22/0020/HH.

and to Fosse Villages Neighbourhood Plan (2021) Policy FV6, which together amongst other things, seek to protect local character.

Other Matters

15. The appellant, in support of the proposal, draws attention to an existing car port nearby. However, this is set well back from the street and shares little in the way of circumstances with the proposal. It does not provide for direct comparison. Notwithstanding this and in any case, I have found that the proposed development would result in significant harm and this is not something that is mitigated by the presence of another development elsewhere.

Conclusion

16. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR