



# 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: 9<sup>th</sup> April 2024**

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## **Appeal Ref: APP/L2440/D/24/3336709**

### **1 Calverton Avenue, Wigston, Leicestershire, LE18 1DJ**

- 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 Litt against the decision of Oadby and Wigston Borough Council.
  - The application Ref 23/00339/FUL, dated 25 August 2023, was refused by notice dated 20 October 2023.
  - The development proposed is a single storey side extension.
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## **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.

## **Reasons**

3. The appeal property is an extended two storey semi-detached dwelling. It is situated in a prominent position at the corner of Calverton Avenue and Bramcote Road.
  4. The appeal property is located in a residential area. Houses in the area predominantly comprise similar two storey semi-detached dwellings, albeit there are a number of semi-detached bungalows towards the end of Calverton Avenue.
  5. Dwellings are set back from the road behind gardens and/or parking areas and tend to have longer gardens to the rear. The setting back from the road, gaps between pairs of dwellings and the presence of gardens, trees and hedgerows provides for a spacious character and for a sense of greenery.
  6. Further to the above, whilst many dwellings have been altered and/or extended, a number of factors combine to afford the area a distinctive sense of uniformity. These include the common use of brick and tile materials, the presence of hipped roofs, the regular and rhythmic spacing of pairs of dwellings and the building line resulting from the common set back of dwellings from Bramcote Road.
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7. The appeal dwelling, like Number 2 Calverton Road opposite, is situated side-on to Bramcote Road and faces Calverton Road at its entrance. During my site visit, I observed that the side of the appeal dwelling follows the same building line as the front of dwellings to the north along Bramcote Road. Similarly, the side of No 2, a single storey extension, follows that of the building line to the south along Bramcote Road.
8. As a consequence of the above, the garden areas fronting Calverton Road to the side of both the appeal property and No 2 make a positive contribution to the green, spacious and uniform qualities of the area.
9. The proposed development would comprise a substantial single storey extension that would project into the appeal property's side garden area.
10. The appeal property has already been extended to the side over two stories. I find that the proposal would add considerable width and overall volume to the host property and would fail to appear as a subordinate addition to the original dwelling. Rather, it would result in the appeal property appearing unduly wide on its plot and extremely unbalanced in respect of its relationship with its attached neighbour, Number 3 Calverton Avenue.
11. The harm arising from this would be exacerbated as a result of the significant incursion into the appeal property's side garden. The proposal would project almost to the side boundary, well beyond the established building line of Bramcote Road. Consequently, it would appear as a highly incongruous feature. It would be at odds with and detract from, the area's uniform, green and spacious qualities.
12. Further to the above, the proposal would have a large crown roof, the majority of which would be flat. I consider that this large, prominent flat roof would appear awkward when seen against the hipped roof of the host dwelling. This, together with the proposed siting of the development well beyond the established building line, would result in the proposal drawing undue attention to its incongruous appearance.
13. 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 Oadby and Wigston Local Plan (2019) Policies 6 and 44; and to the Council's Residential Development Supplementary Planning Document (2019), which together amongst other things, seek to protect local character.

### **Other Matters**

14. The appellant, in support of the proposal, draws attention to other developments and permissions in the surrounding area. However, there is no substantive evidence before me to demonstrate that any of these comprise developments/permissions and/or circumstances so similar to the proposal before me as to provide for direct comparison.
15. 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 other developments or the granting of permissions at sites elsewhere.

16. The appellant states that he would retain some trees to provide evergreen screening and visual amenity. Whilst I note this, I am also mindful that the proposed development would be widely visible in its surroundings and that the retention of some trees would not reduce the harmful impacts identified above to any significant degree.
17. The appellant notes that no objections were received from neighbours in respect of the proposal. However, this could be for any number of reasons and the absence of objections is not necessarily the same thing as support for a proposal.

**Conclusion**

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

*N McGurk*

INSPECTOR