

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/W2465/D/23/3334668
508 Welford Road, Leicester, LE2 6EN

- 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 Mrs Kiran Kaur against the decision of Leicester City Council.
 - The application Ref 20231158, dated 21 July 2023, was refused by notice dated 15 September 2023.
 - The development proposed is a two storey wrap-around side extension, single storey rear extension and loft conversion. Associated landscaping works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and whether the proposed development would provide acceptable living conditions for future occupiers.

Procedural Matter

3. The description of the proposed development is taken from the application form. The Council, in its decision notice, describes the proposed development as "demolition of single storey extension at front; construction of two storey extension at side and rear; single storey extension at side and rear; alterations to house (Class C3)."

Reasons

Character and appearance

4. The appeal property is a two storey semi-detached dwelling in a prominent corner location, at the junction of Welford Road and Brinsmead Road.
 5. The dwelling has a parking area to the front, an additional parking and garden area to the side and a garden to the rear. It is set back from Welford Road behind a pedestrian and cycle path and a wide grass verge.
 6. The appeal property is located in a residential area, characterised by the presence of pairs of two storey semi-detached dwellings with parking areas and/or gardens to the front and longer gardens to the rear. The presence of
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grass verges, street trees and front gardens provides the area with a sense of greenery and spaciousness.

7. Further to the above, whilst many dwellings in the area have been altered and/or extended, I noted during my site visit that such changes tend to appear in keeping with the host property and its surroundings. The area surrounding the appeal property has a strong and distinctive sense of uniformity. This derives from the common use of brick and tile building materials, a sense of symmetry between pairs of dwellings and the presence of similar original features, including two storey bays, similar roof profiles and the regular spacing and set-back of dwellings.
8. The proposed development would result in significant changes to the appearance of the dwelling. It would be extended to the side such that the dwelling would appear very wide on its plot when seen from the front. Number 508 is already wider than the attached dwelling, No 510 Welford Road. I find that the proposed increase in width would exaggerate an existing imbalance between these neighbouring dwellings to the point that the appeal property would appear unduly dominant.
9. The harm arising from the above would be exacerbated as a result of the proposed side extension not being set back from the front elevation. The proposal would not appear subservient to the host dwelling.
10. The proposed development would also introduce a large extension along the side and rear of the property, facing Brinsmead Road. This would be at two storey height and would incorporate a varied and unusual roof form, ending with a gable fronted pitched roof. This gable fronted roof would be connected to the hipped roof of the host dwelling by way of a narrow dual pitched roof set down from both the main roof and the proposed gable fronted roof.
11. I consider that this mix of roof forms would appear unmatched and awkward. Together, they would serve to draw attention to the proposal as an irregular and incongruous development within an area notable for its general sense of uniformity.
12. The harm arising from this would be increased as a result of the choice of materials, such that the gable fronted element, with its non-matching roof material, would appear starkly at odds with the host dwelling. This and the overall form of this part of the proposal, together with the awkward connection to the host dwelling would result in it appearing as an alien feature, out of keeping with its surroundings.
13. All of the above would combine with the prominent location of the appeal property to result in the proposal appearing unduly dominant in its surroundings, to the detriment of the area's attributes.
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 Core Strategy¹ Policy CS03; to Local Plan² Policy PS10; and to the Council's Residential Amenity Supplementary Planning

¹ Reference: Leicester City Local Development Framework Core Strategy (2014).

² Reference: City of Leicester Local Plan (2006).

Document (2008), which together amongst other things, seek to protect local character.

Living conditions

15. Whilst the Council considers that the proposal would result in the reduction of private amenity space to an unacceptable degree, the appellant has provided evidence to demonstrate that considerably more garden land than required by the Council's policies would remain. Given this, I am satisfied that the proposal would provide sufficient private amenity space.
16. The proposal would introduce a loft bedroom with only small rooflights for outlook. This would result in a poor outlook. However, I am mindful that, as a bedroom, the proposed use would not comprise a main living area and the rooflights would provide for daylight and for some outlook. Consequently, in this specific regard, I do not consider that the proposal would result in such unacceptable living conditions as to justify the dismissal of the appeal.
17. Consequently, I find that the proposed development would not result in unacceptable living conditions for future residents, with regards to outlook and private amenity space. In this way, it would not be contrary to the National Planning Policy Framework; to Core Strategy Policy CS03; to Local Plan Policy PS10; or to the Council's Residential Amenity Supplementary Planning Document (2008), which together amongst other things, seek to protect residential amenity.
18. However, the absence of significant harm in this regard does not reduce or mitigate the significant harm identified in respect of local character and hence the decision below.

Conclusion

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

N McGurk

INSPECTOR