



Appeal Decision

Site visit made on 22 May 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 24 May 2024

Appeal Ref: APP/X2410/D/24/3337460

49 Wanlip Lane, Birstall, Leicestershire LE4 4JU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Amit Dabhi against the decision of Charnwood Borough Council.
 - The application Ref is P/23/2166/2.
 - The development proposed is a first floor side, rear extension and alterations.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. My attention has been drawn to an extant permission at the appeal site from 2019¹. There are similarities between the two schemes with the main differences related to roof design. I am satisfied that if the appeal proposal were dismissed, there is a reasonable prospect that such a fallback position would be implemented. As such I have considered it throughout my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the area.

Reasons

4. The area is suburban, predominantly characterised by two-storey semi-detached properties with modest front gardens. The appeal property is typical of the area with an existing single storey side extension with a flat roof. There is a public library to the south, that is set behind the building line of No 49 with a sky gap between the two buildings. Due to the positioning between the two properties, the side elevation is readily visible within the street scene.
5. The proposal would introduce built form at first floor level above the existing single-storey side extension. Whilst it would fill the remaining width of the site and align with the front building line of the dwelling, its width would be in proportion to the original property and the roof would be below the existing ridge line. As such, when viewed from the front, it would appear subservient in relation to the host dwelling and would not unbalance the pair of semis.
6. Notwithstanding this, when viewed from the street and neighbouring library, the large, blank flank wall and flat roof would be readily visible and would

¹ Application Reference: P/19/0249/2

dominate the host property. Moreover, in these views, the proposal would be a prominent and unattractive addition to the street scene that would appear incongruous.

7. Although the flank wall of the fallback position would also be large, the pitched roof would be in keeping with the character of the area and would reduce the prominence of the extension. As such, I find that the fallback position would be less harmful than the appeal proposal before me.
8. Consequently, I conclude that the proposal would harm the character and appearance of the host dwelling and the area. It would conflict with Policies EV/1 and H/17 of the Borough of Charnwood Local Plan 1991-2006 (January 2004) and Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy (November 2015) where amongst other things they require development to be of high-quality design that respects and enhances the local environment and does not appear as an incongruous feature.
9. The proposal would also conflict with the National Planning Policy Framework (the Framework) where it requires development to be attractive as a result of good architecture and sympathetic to local character.

Other Matters

10. I note that No 53 Wanlip Lane has a similar roof design to the appeal proposal. However, it is set back from the neighbouring property with little separation distance. As such, unlike the appeal proposal, the flank wall and flat roof portion are not readily visible from the side aspect of the property, and it does not harm the character and appearance of the property or area. Accordingly, this does not lead me to an alternative conclusion in this case.

Conclusion

11. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR