



Appeal Decision

Site visit made on 1 August 2024

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 August 2024

Appeal Ref: APP/X2410/D/24/3346612

40 Nursery Close, Shepshed, Leicestershire LE12 9SN

- 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 Aaron Evison against the decision of Charnwood Borough Council.
 - The application Ref is P/24/0331/2.
 - The development proposed is a front extension and addition of first floor accommodation and miscellaneous internal alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. As the appellant did not agree to the Council's amended description, I have taken the description of the proposal from the application form.

Main Issue

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

Reasons

4. The properties on Nursery Close are detached and semi-detached, and typically set back a short, but varied, distance from the curving highway. Whilst most are two storeys high, the host and its similar attached neighbour at No 42, along with the pair at Nos 44/46, are bungalows. These two pairs are orientated with a gable facing Nursery Close, and with their principal elevation facing a central area of green space.
5. The Charnwood Design Supplementary Planning Document (2020) ('SPD') seeks to provide clarity on how policy requirements in the Charnwood Local Plan Core Strategy 2011-2028 (2015) ('CCS') can be met. Whilst recognising that each site is unique, the SPD states that the design of new development should be closely informed by, and should respond to, its context.
6. The SPD advises at paragraph 3.40 that unless there are existing dormers in the area, new dormers are likely to be out of character with the surroundings; but that, if they are used, they should be as low and as small as possible, and that they should match the window style and roof pitch of the existing property.

7. The proposed gable extension would be single storey and its form would match the host. However, it would include dormers on its western and eastern elevations which would finish near to the proposed gable, and which would continue across the existing building's roof, stopping very close to the property boundary with No 42.
8. As such, whilst they would be set down from the host's ridge, and set up from its eaves, each would cover a large proportion of its respective roof slope. They would therefore have a significant and domineering bulk. As a result of that scale and bulk, and the dormers' flat-roofed rectilinear form, the resultant property would have an awkward and contrived appearance, which would be at odds with its original form, and it would have an imposing and rectilinear southern profile.
9. I did not observe dormers in the site's vicinity on Nursery Close, and nor has my attention been drawn to any. Additionally, whilst I observed that work appears to have started on a gable extension at No 42, I have no firm evidence that those occupiers intend to construct dormers similar to these. Thus, notwithstanding the presence of larger two storey houses on Nursery Close, the scheme would be incongruent with the roof form and style of the host, its attached neighbour, and other properties in the area.
10. Although the scheme would be faced with matching materials, and its windows would be proportionate to, and match the style of, those in the existing building, that would not overcome the harmful impacts that I have identified.
11. Notwithstanding the presence of mature trees, and the set back of the property from Nursery Close, the scheme's harmful impacts would be clearly apparent in the streetscene, even more so when those trees are not in leaf. Additionally, they would be seen from the central green space and its associated tarmacked areas, and from the pedestrian link at the edge of the estate to the north-east.
12. For those reasons, it would conflict with CCS Policy CS2 and Policies EV/1 and H/17 of the Charnwood Local Plan 1991-2006 (2004). Amongst other things, and in general terms, these require a high standard of design, which respects the character of the area and the streetscene, having regard to matters including the scale and mass of neighbouring buildings; and state that extensions shall be compatible with the original dwelling.
13. It would also conflict with the advice in the SPD, and with the stance on good design, which takes account of local design guidance, at paragraph 139 of the National Planning Policy Framework (2023).
14. Whilst I note the appellant's intention to provide a flexible home for the future, that largely private benefit, does not outweigh the significant harm that the scheme would cause. Consequently, having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR