



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: 12 August 2024

Appeal Ref: APP/W2465/D/24/3342933
96 Osmaston Road, Leicester LE5 5JG

- 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 Maaz Godal against the decision of Leicester City Council.
 - The application Ref is 20231468.
 - The development proposed is a single storey extension at the front and side of the house (Class C3).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons

3. The host comprises one half of a semi-detached pair, which is prominently located on the corner of Osmaston Road and Kedleston Road. It has been previously extended with a two storey flat-roofed rear projection, a hip to gable, and a large rear dormer. The wider area comprises a mix of predominantly two storey, semi-detached and terraced houses, typically finished in masonry. Whilst some buildings abut the pavement edge, the host and the properties on Osmaston Road to the east, and the properties on Kedleston Road to the north, are set back from it.
4. The scheme includes a modestly proportioned front extension, identical to one that was previously approved on the site under planning application reference 20220573 ('approved scheme'). The Council raises no objection to that front extension, and for the reasons above, neither do I.
5. The approved scheme also included a single storey side extension. However, compared to it, the side extension before me would be taller, wider to the front and rear, and it would almost abut the side boundary of the plot. There are thus significant material differences between them. At 4 metres to the top of its roof and 2.7 metres to the eaves, the proposed side extension would be significantly taller than the existing timber boundary fence. Given its siting, along with its height, width and length, it would be a prominent feature in the streetscene.

6. Whilst the siting of buildings relative to the highway in the area is varied, this side extension's flank wall would stand well forward of the front face of 23 Kedleston Road ('No 23'), which lies just beyond the host's short rear garden, and forward of the front faces of the properties beyond. It would therefore appear as an incongruously dominant feature in the streetscene when approaching along Kedleston Road from the north-east.
7. Having regard to cumulative impacts, the resultant property would also have a very eclectic and incoherent appearance, and very little of its original form and dimensions would still be 'read'. Although installing a window would help to break up the side extension's long, unalleviated flank wall, and the scheme could be faced in matching materials, conditions to that effect would not overcome the harm that I have found.
8. Finally, whilst the appellant refers to a single storey extension that has been built up to the side boundary on a prominent corner plot at 59 Chesterfield Road, that development is not in the same streetscene, and the cumulative impacts of extensions there is markedly less compared to this property.
9. The scheme would therefore harm the character and appearance of the host property and the area, and it would have a significantly greater adverse impact compared to the fallback of the approved scheme. It would conflict with CS Policy 3 of the Leicester City Core Strategy 2014. This requires good quality design, that responds positively to its surroundings, and makes a positive contribution to the character and appearance of the area.
10. Amongst other things, the Leicester City Residential Amenity Supplementary Planning Document 2008 sets out that house extensions should not adversely affect the quality and appearance of the surrounding area, and that consideration should be given to the effect of a side extension on a corner plot on the building line of an adjoining street. Having taken account of the distance to No 23, the scheme would also conflict with that approach.
11. For these reasons, it would also conflict with paragraphs 135 and 139 of the National Planning Policy Framework 2023, which require development to be sympathetic to local character, and which state that development that is not well designed should be refused, taking into account any local design guidance and supplementary planning documents.
12. Having regard to all other matters raised, including a representation in support from a local resident, the appeal is therefore dismissed.

Chris Couper

INSPECTOR