

Appeal Decision

Site visit made on 24 September 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2024

Appeal Ref: APP/W2465/D/24/3349869

196 Scraftoft Lane, Leicester, LE5 1HX

- 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 Vivek Sharma against the decision of Leicester City Council.
 - The application Ref is 20240284.
 - The development proposed is the construction of single and two storey extension at front, side and the rear of house; dormer to front and rear of house; outbuilding gym at the rear of garden and alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. One of the Council's reasons for refusal related to the absence of information relating to trees and hedges. The appellant has submitted an arboricultural report which includes a tree constraints and protection plan. Notwithstanding the conclusion of this decision letter, noting the contents of the arboricultural report and in the absence of any evidence to the contrary, I consider that the Council's concerns in respect of trees and hedges comprise a matter that might have been appropriately addressed by the imposition of planning condition.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a two storey detached dwelling set back from the road behind a driveway and garden area and with a larger garden to the rear.
 5. The appeal property is located in a residential area characterised by the presence of detached and semi-detached one, one and a half and two storey dwellings. Like the appeal property, nearby dwellings tend to be set back from the road behind gardens and/or parking areas and have larger gardens to the rear.
 6. During my site visit, I observed that the presence of gardens, hedgerows, planting and occasional grass verges, combine to provide for a sense of greenery. Further, the setting back of dwellings behind relatively wide
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pavements and in particular, the presence of gaps between dwellings and pairs of dwellings above first floor level, provides for a significant sense of spaciousness.

7. I also noted during my site visit that whilst the style and appearance of dwellings differs considerably, the spaciousness around them provides for glimpses through to trees and open areas beyond and makes a distinctly positive contribution to the attractiveness of the area. Also, whilst many dwellings have been altered and or extended, such changes generally appear in keeping with the host dwelling and its surroundings.
8. The proposal would extend the appeal dwelling in all directions. It would result in it stretching across the majority of the width of its plot at two storey height. This would result in the existing gaps to either side of the dwelling, above ground and at first floor level, being closed. I find that this would be to the severe detriment of the area's spacious qualities.
9. The harm arising from the above would be exacerbated as a result of the resultant two storey building appearing squeezed on to its plot, such that the dwelling would appear cramped.
10. This cramped appearance would be emphasised by the difference in levels between the appeal dwelling and Number 194 Scraftoft Lane, adjacent. Also, No 194 sits considerably lower and the proposal would result in the appeal dwelling looming above its neighbour in such close proximity as to appear unduly dominant.
11. In addition to the above, I find that the proposed porch, which would project to the front of the dwelling, would draw the eye as an unduly dominant feature, in part due to its scale and forward-projection and in part due to its awkward, non-central position.
12. Similarly, I find that the proposed front dormer would appear awkwardly located to one side of the roof. The resultant visual harm would be increased by the proposed use of materials that would contrast with those of the main part of the front elevation.
13. Also, there would be a mismatch between the roof pitch of the proposed side extension and that of the proposed porch. This would appear as an awkward feature, adding to the harm identified above.
14. In addition to all of the above, I also find that the overall bulk of the proposed development – with significant extensions to all sides and notably, at roof level, would combine with the proposed outbuilding to result in a severely overdeveloped site. This would harm the spacious qualities characteristic of the appeal site and its surroundings.
15. 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; and to Core Strategy¹ Policy CS03, which together amongst other things, seek to protect local character.

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

Other Matters

16. In support of his case, the appellant refers to other developments and other decisions relating to properties within the wider vicinity. However, none of these comprise proposals and circumstances so similar to the proposal and circumstances before me as to provide for direct comparison. 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 elsewhere.

Conclusion

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

N McGurk

INSPECTOR