



Appeal Decision

Site visit made on 14 October 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2024

Appeal Ref: APP/W2465/D/24/3351507

9 Ridgway Road, Leicester LE2 3LH

- 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 F Rayan against the decision of Leicester City Council.
 - The application Ref is 20240352.
 - The development proposed is carport to the front of the property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the appeal proposal on the character and appearance of the host property (No 9) and the surrounding area and its effect on the living conditions of the occupiers of No 9, in terms of loss of outlook and sense of enclosure.

Reasons

3. The timber carport has already been constructed at the front of the existing dwelling, close to the back of pavement in a prominent location. It is a large structure of functional appearance which entirely takes up part of the frontage between the front elevation of the host property and the front boundary fencing.
4. The appeal site is within an area where the residential frontages are generally open. The frontage of No 9 is shallower than its neighbours. I saw no other structure or similar developments in the front gardens of properties in the vicinity. Whilst there is architectural diversity in the area, the functional appearance of the carport and its height, which significantly exceeds that of the boundary fencing, could not reasonably be considered to enhance the visual appeal of the appeal property or to otherwise contribute to the varied design character of its surroundings.
5. I conclude that the large size and functional design of the carport is an incongruous addition to the host property which appears out of character with the surrounding area. The development is therefore contrary to the design objectives of saved Policy PS10 of the City of Leicester Local Plan (2006)(LP), Policy CS03 of the Leicester Core Strategy 2014, the National Planning Policy Framework (the Framework) and Appendix G of the Council's Residential Amenity SPD.

6. Turning to the effect of the appeal proposal on the living conditions of the occupiers of the host property, the carport is located immediately to the front of the house and covers the area between the house and its front boundary. As a result, it shades the front window of No 9 and causes a loss of outlook and sense of enclosure. Whilst the appellant accepts this situation, future occupiers would also be affected by the loss of light and overbearing character of the carport and their amenity is an important consideration in this appeal.
7. Furthermore, the evidence that the shading reduces glare and overheating in the adjacent rooms during the warmer months and makes the outdoor space more usable is not convincing having regard to factors including the orientation of the appeal property. Moreover, there are other, less visually intrusive measures to protect vehicles from fallen leaves and branches and bird droppings. These are in any event a consequence of choosing to live in a location characterised by significant tree cover, including the protected trees to the front of No 9. Whilst the current occupiers may well consider that these identified impacts of the carport improve their amenity, they do not outweigh the greater weight resulting from the harm to living conditions by reason of loss of light due to overshadowing, being overbearing and causing a sense of enclosure.
8. For the reasons set out above, I conclude that the siting and scale of the carport harms the living conditions of the occupiers of the host property. In this regard the development is contrary to saved policy PS10 of the LP and the guidance within the Framework which requires development to afford a high standard of amenity for existing and future occupiers.
9. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

Elaine Benson

INSPECTOR